IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
KING'S BENCH DIVISION

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

AND

1. **BILL LEE**
2. **BILL LEONARD LEE**
3. **WESY BILL WALLY LEE**
4. **ROY CHRISTOPHER DRAPER**
5. **ALBIE JOHN WILKINS**
6. **PERSONS UNKNOWN**
7. **KEITH JEEVES**
8. **CURTIS LOVE**
9. **BONNY HARBOUR**
10. **JONNY BIGMORE**

Defendants

BUNDLE FOR HEARING - 7th OCTOBER 2026

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IN THE HIGH COURT OF JUSTICE **Claim No: KB-2025-001812**
KING'S BENCH DIVISION

IN THE MATTER OF PROCEEDINGS

B E T W E E N:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the named Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000, TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

SKELETON ARGUMENT ON BEHALF OF THE CLAIMANT IN SUPPORT OF AN APPLICATION FOR AN INJUNCTION HEARING 7TH OCTOBER 2026

Essential Reading:

1. Application Notice
2. Draft Order
3. Witness Statements of Andrew Culley

INTRODUCTION

1. Tunbridge Wells Borough Council ("the Claimant") seeks the continuation/variation of the injunction order granted by Mr Justice Lavender on 6th June 2025 ("the Order") in

relation to the land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered under title numbers K871684, TT17100, TT171757 shown edged red on the plan attached to the draft order.

2. This application came before the court on 4th June 2026 before Mr Malcolm Sheehan KC (sitting as a Deputy Judge of the High Court). The court heard from Mr Danny Love, authorised to speak on behalf of the 8th Defendant (Curtis Love). Mr Wesy Lee's father attended to speak on his behalf but, without authorisation from his son, the court did not hear from him. Mr Love stated that he wished to put in evidence by way of a witness statement. It was indicated that Mr Lee also wished to submit a witness statement. In the circumstances, the court continued the order and adjourned the hearing to allow for evidence to be submitted and that was not opposed by those attending.

3. The chronology of applications (prior to the grant of the Order) was set out by Ms Stevens at HS/10[1] [**552**]:

   i. Mr Justice Eyre granted an interim injunction on 16th May 2025 on a without notice basis [**177**]. The Council had applied in relation to the Land but Mr Justice Eyre was not satisfied that the without notice provisions were met in relation to Curtis Love and Keith Jeeves and excluded plots TT171000 and TT171757 from the order;

   ii. On the return date on 23rd May 2025, the Council applied to continue the injunction order but against further defendants as further information had been revealed in terms of ownership. Mr Justice Dexter Dias granted the injunction order until 6th June 2025 [**274**] but required the Council to make enquiries with a Gypsy and

[1] HS/WS2 [444]

Traveller liaison organisation and required Mr Wesy Bill Wally Lee who appeared to resist the application to make a witness statement;

iii. On 30th May 2025, the Council became aware of development on one of the excluded plots (TT171757) owned by Mr Jeeves[2]. Two static caravans and a touring caravan were brought to the Land and it became clear that Mr Jeeves did (despite previous assurances to the contrary) wish to live on the Land as did Bonny Harbour and Jonny Bigmore. The Council served a Temporary Stop Notice as quickly as it could[3] [**626**] and also applied to the court on a without notice basis out of hours for an injunction in relation to plots TT171000 and TT171757. The order was granted until 6th June 2025.

4. On 6th June 2025 (the Return Date as it then was), the Claimant sought a consolidated injunction order covering the original red line of land it applied for against the owners and intended occupiers and Persons Unknown. The situation had been fluid and complicated and it became clear that the Council was falsely reassured by Mr Jeeves that he would not breach planning control, that there were other families waiting to occupy the Land, that those spoken to at the Land had been evasive in terms of responses.

5. The Claimant is the Local Planning Authority within the meaning of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act") for an area including the Land.

History of ownership

6. The Land was, until shortly prior the 2025 hearings, all within title number K871684 in the ownership of Michael Larter who was a Defendant when the Council made its first application on 16th May 2025. Over the previous year, parcels had been sold and/or sub-

[2] See photographs at LT19 [**362**], LT20 [**255**], LT21 [**363**], LT23 [**365**]
[3] LT/WS3/§5-9 and LT/31 [**626**]

divided as follows (and at the time of the without notice application on 16th May 2025, there were "applications pending" against title K871684 [**137**]):

Title	**Last date of change**	**Owner**	**Comments**
K871684 Plot 1a as shown on page [**149**]	02/02/2024	Michael Larter	This plot has been sub-divided with one occupied by Bill Lee on 9th May 2025
TT171000 [38] Plot 3 as shown on page [**149**]	08/08/2024	Curtis Love	There has been no contact with Curtis Love who paid £60,000 for this plot [149]. However, his father appeared at court on 23rd May 2025 with Mr Wesy Bill Wally Lee and his family.
TT171757 [**147**] Plot 2 as shown on page [**149**]	03/09/2024	Keith Jeeves	Mr Jeeves paid £138,000 [142] for this plot. He applied for planning permission for change of use to equestrian use which was refused on 1st May 2025 (WS/15/AC1). He did lay hardstanding unlawfully but it is not known when. He told Ms Tarling that he had no intentions of residing on his land and appeared to comply with Council requests to remove items, eg a septic tank. However, on 30th May 2025 he attempted to occupy this plot.

7. As a consequence, on 16th May, the Council proceeded against the above named individuals. Mr Justice Eyre was not satisfied that proceeding on a without notice basis against Mr Love and Mr Jeeves was justified. Their land was not included within the scope of the interim injunction obtained on 16th May 2025.

The Return Date on 23rd May 2025

8. As set out by Heather Stevens[4] (§18) [**203**], the Claimant's solicitors received an email from VP Legal Solicitors on 20th May 2025 with copies of four TP1 applications to HM Land Registry as follows (a plan is at [**129**]:

Title	**Date of Transfer according to TP1s**	**Owner**	**Comments**
K871684 Plot HS/1 [**237**]	04/09/2024	Roy Christopher Draper [**206**]	This plot has been unlawfully occupied by Bill Lee since 9th May 2025. Mr Draper has informed Ms Visagie that he has sold the land but is unable to provide any documentary evidence.
K871684 Plot HS/2 [**237]**	04/09/2024	Wesy Bill Wally Lee [**215**]	There is currently no unlawful development on this plot.
K871684 Plot HS/3 [**237]**	29/10/2024	Albie John Wilkins [**224**]	There is currently no unlawful development on this plot.
K871684 Plot HS/4 [**237]**	04/11/2024	Bill Lee and Bill Leonard Lee [**231**]	There is currently no unlawful development on this plot.

[4] HS/WS1/18

9. On the basis of correspondence with VP Legal Solicitors [**239**], the Council was satisfied that, whilst Mr Larter is still the owner of the Land at HM Land Registry, he sold the Land save for the access strip. The Council recognised delays at HM Land Registry and no longer proceeded against him.

10. The Council proceeded against Mr Draper as his land had been developed unlawfully and was occupied by Mr Bill Leonard Lee.

11. The Council proceeded against Bill Lee and Bill Leonard Lee as Bill Lee has already demonstrated a flagrant disregard for planning control. Furthermore, Mr Bill Lee confirmed that he had a further caravan arriving the week-end of 24th May 2025[5].

12. The Council proceeded against Wesy Bill Wally Lee as his plot is adjacent to the occupied plot, he is related to Bill Lee and he was on the Land on 19th May 2025 and said "My land is now worthless, **you can't put anything on it**"[6]. Whilst Mr Wesy Lee has reiterated that he did not plan to build on his plot[7] and has confirmed the same to the Council's solicitors on 22nd May 2025, the Council had real fears and anticipated further breaches of planning control if not restrained.

13. The Council did not proceed against Mr Jeeves and Mr Love on 23rd May 2025 for the following reasons:

14. Mr Jeeves expressly told Council officers on 15th May 2025 that he had no intention of living on the Land[8];

15. The Council had no contact with Mr Love;

[5] HS/WS1/8 [**202**]
[6] AC/WS2/27 [**247**]
[7] AC/WS2/28 [**247**]
[8] LT/WS1/7 [**176**]

16. There was no evidence that they intended to occupy the Land and it was not clear that either of them was a member of the Gypsy and Traveller community.

The reason for urgently making an application on 30th May 2025

17. On 30th May 2025, the situation changed dramatically.

18. The land belonging to Mr Jeeves (TT171757) was excluded from the injunction orders obtained on 16th May and 23rd May. On 30th May 2025, the Council was alerted to the fact that a static caravan was delivered to plot TT171757. Council officers were told that there was another static caravan being delivered imminently. Council officers arrived at the site to find one static caravan and touring caravan on site, another being delivered and another on its way[9]. Furthermore, Mr Jeeves told Council officers that he would be living on the land temporarily which is contrary to what he told officers previously[10]. However, his son stated he would be living there with his father and Keith Jeeves did not disabuse Ms Tarling of that fact.[11] Lastly, a planning application was received (not valid) [**382**] seeking consent for change of use of the land belonging to Mr Jeeves for the stationing of 3 static caravans for residential use by Bonny Harbour and Jonny Bigmore. That planning application contains an "Ownership Certificates and Agricultural Land Declaration" [**384**] which confirms that Bonny Harbour was the owner of the plot. The agent has certified the same on behalf of the applicant. Council officers were told that Bonny Harbour and children would be arriving to live on the land[12].

19. The land belonging to Mr Love was also excluded from the injunction orders. It has also been confirmed to the Council that Mr Love is from the Gypsy and Traveller community.

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[9] See photos taken by Leanne Tarling [**362]-[378**]
[10] LT/WS2/12 [**341**]
[11] LT/WS2/17 [**342**]

[12] LT/WS2/10 [**341**]

Ms Tarling was notified of this on site by a planning agent on 30th May 2025[13]. Furthermore, Mr Love's father attended the hearing on 23rd May 2025 (although did not speak) and was in attendance with Mr Wesy Lee, also a Gypsy and Traveller.

20. The Council feared and still fears that any piece of land formerly in the ownership of Mr Larter will be developed as a caravan site unless owners and persons unknown are restrained. The Council's anticipated fears for the Land were realised and it was vindicated in its concerns.

APPLICATION FOR CONTINUATION/VARIATION OF THE INJUNCTION ORDER DATED 6TH JUNE 2025

The Defendants

21. The results of updated searches at HM Land Registry show that ownership has not changed since last year (see para 3 AC WS 6 and para 7 AC witness statement 9)). However, there are "Applications pending" in relation to Plot 2.

Persons Unknown

22. The Sixth Defendant identified only as "Persons Unknown" refers to those persons who are not named Defendants to this Claim who have an interest in the land or in undertaking works to the Land or intending to undertake works to the Land or entering onto the Land intending to occupy the Land in breach of planning control. The Claimant relies upon paragraph 21.2 of the Practice Direction Part 49E and s.187B (3) of the 1990 Act in support of seeking an Order against "Persons Unknown".

[13] LT/WS2/15 **[342]**

23. The Claimant is aware of the guidance of the Supreme Court in *Wolverhampton City Council and Others v London Gypsies and Travellers and Others* [2023] UKSC47. The *Wolverhampton* judgment of the Supreme Court provides that the granting of injunctions against "newcomers" is not constitutionally improper [170] and, in relation to breaches of public law, including planning law, local authorities are empowered to seek injunctions by statutory provisions.

24. In section 5 of the judgment [187ff] the Supreme Court considered the practical application of the principles affecting an application for a newcomer injunction against Gypsies and Travellers and the safeguards and provided the guidance. It is submitted that the safeguards are met in this case:

i. Compelling justification for the remedy. Parts of the Land were developed in breach of planning control and where land was not included by the original injunction order, attempts to develop were made. This criterion includes consideration of the obligation/duty to provide sites for Gypsies and Travellers [190], Needs assessments, planning policy, other statutory powers available and byelaws. Tunbridge Wells Borough Council does not have a 5 year supply of pitches for Gypsies and Travellers. However, it has a recently adopted Local Plan which has been through an extensive examination process and a specific Traveller Accommodation policy (H9). Planning applications should comply with policy H9 and the development on the Land is contrary to planning policy and other statutory powers are not effective. Furthermore, the Council has made enquiries with a Gypsy and Traveller Community organisation (Friends, Families and Travellers)[14] as required by the order of 23rd May 2025 but it did not appear that the organisation could assist in relation to the Land or any of the defendants. Ms Stevens also

[14] HS/WS2/2-3 [**534**]

contacted the Gypsy and Traveller service at Kent County Council (KCC). The upshot of those enquiries is that Bonny Harbour, Jonny Bigmore and their two children were living on a Council site known as Windmill Lane[15] and left the lawful site to pursue unlawful occupation at the Land. KCC had confirmed that if Bonny Harbour wanted her plot back, she would be able to move back on[16]. With respect to Mr Jeeves, his son moved back to his mother[17] and it was not possible to ascertain firm details about Mr Jeeves's situation[18] other than that he had planned to stay overnight on the access track excluded from the injunction order. Since last year, the Council's position is that there is still a compelling justification for the remedy as there have been planning applications and appeals against enforcement notices which are not determined (further details below).

ii. Evidence of threat of abusive trespass or planning breach – it is submitted that there is more than a sufficiently real and imminent risk as evidence shows that works have already been undertaken:

a. Bill Leonard Lee – see photos of unlawful development and occupation on land owned by Roy Draper at [**165-173**]; see photos of further unlawful development undertaken after he agreed with officers he would not undertake other works further to finishing the fencing[19] at [**258**] and [**259**][20] and shed at [**260**]. Bill Leonard Lee clearly wants to live on the Land. He applied for planning permission for Plot 2, and the application was received by the Council on 6th June 2025. It was refused on 12th August 2025 (see

[15] HS/WS2/7 [**533]**
[16] HS/WS2/10 [**534**]
[17] LT/WS3/27-29 [**593**]
[18] LT/WS2/12 [**341**] – originally from Clacton, moved to Headcorn, address in Swanley now confirmed to be his sister's
[19] AC/WS1/17 [**123**]
[20] AC/WS2/30 [**247**]

para 9 AC WS 6). The plot was seen advertised for sale on Facebook on 14th July 2025 (see para 12 AC WS 6). The mobile home and shed are still in situ on Plot 2 (see para 34 AC WS 6) which means that it is ready to be occupied as soon as the order expires on 6th June 2026. There is also an outstanding appeal against the enforcement notice issued for Plot 2. Mr Culley sets out at para 36 that this is of significant concern because "it demonstrates that the recipients of the enforcement notice still have intentions for their land" and notes that it "could take months, if not years, to finally determine" and the "land is at risk".

b. Keith Jeeves, Bonny Harbour, Jonny Bigmore 2 static caravans were delivered, a tourer was brought on, 2 sheds and 1 dog kennel were erected as shown in photos [**561-572**]. Mr Culley sets out in his 6th WS that there are "continuing issues". He has had to chase Mr Jeeves in relation to compliance with the enforcement notice (which was unsuccessfully appealed). Whilst the enforcement notice is largely complied with, it is not wholly complied with. Furthermore, a new planning application has been made (still in the name of Bonny Harbour) and a second enforcement notice has been issued and the Council expects an appeal against that enforcement notice. This demonstrates a reluctance to comply in a timely fashion and also demonstrates long term intentions for change of use of Plot 4.

c. Last year, there was significant activity in terms of dividing, sales, sub-dividing, failure to obtain planning consent and occupation which all leads the Council to believe that further breaches will continue as soon as the

order expires. As Mr Culley points out in his 6th WS, when plots were left outwith the first injunction order, attempts to develop commenced.

iii. Identification or other definition of the intended respondents to the application - it is impossible to name the persons as (a) it is not known those undertaking works and (b) it is not known who future potential occupants may be (the Council was wholly unaware of Bonny Harbour and Jonny Bigmore before they attempted to move on and now have become aware of a possible different owner of Plot 5) but the Claimant has attempted to define them as precisely as possible;

iv. The prohibited acts - the terms of the injunction correspond to breaches that are feared will take place if not restrained and it is submitted that the terms of the injunction order are clear and precise – furthermore, the terms simply tell those potentially affected not to do that which they are not allowed to do without express planning permission;

v. Geographical and temporal limits - the injunction has clear geographical limits as outlined on the plan attached to it and has temporal limits until 6th June 2027;

vi. Effective notice of the order - it is possible to give effective notice by virtue of the Alternative Service provision;

vii. Liberty to apply has been included;

viii. Costs protection – there is no evidence that this is appropriate in this matter;

ix. Cross-undertaking - there is no cross-undertaking and it is submitted this is not appropriate in this case.

25. The Claimant is of the view that actual breaches of planning control have taken place, and there is a real risk of further breaches and it apprehends further operational development and material change of uses taking place in breach of planning control across all the parcels

previously within the single land-holding unless the order remains in place. The order simply holds the ring and maintains the status quo.

THE POWER TO GRANT AN INJUNCTION

26. Section 187B of the Town and Country Planning Act 1990 (as amended) ('the 1990 Act') provides as follows:

> *"(1) Where a local planning authority consider it necessary or expedient for any actual or apprehended breach of planning control to be restrained by injunction, they may apply to the court for an injunction, whether or not they have exercised or are proposing to exercise any of their other powers under this Part.*
>
> *(2) On an application under subsection (1) the court may grant such an injunction as the court thinks appropriate for the purpose of restraining the breach.*
>
> *(3) Rules of court may provide for such an injunction to be issued against a person whose identity is unknown.*
>
> *(4) In this section "the court" means the High Court or the county court."*

27. The leading authority on the exercise of the Court's discretion to grant injunctions pursuant to section 187B of the 1990 Act is the decision of the House of Lords in the combined appeals known as *South Bucks District Council v. Porter* [2003] UKHL 558; [2003] 2 AC 558 [**[20]**] approving the judgment of the Court of Appeal [2001] EWCA Civ 1549; [2002] 1 WLR 1359.

28. The decision of the House of Lords also confirms that the Court has an original jurisdiction in respect of its exercise of discretion to grant an injunction pursuant to section 187B of the 1990 Act [**27**].

29. In *Davis v Tonbridge & Malling Borough Council* [2004] EWCA Civ 194, the Court of Appeal summarised the conclusion of the House of Lords in *South Bucks District Council v Porter* as follows [**34**]:

1) Section 187B confers on the courts an original and discretionary, not a supervisory, jurisdiction, so that a defendant seeking to resist injunctive relief is not restricted to judicial review grounds;

2) it is questionable whether Article 8 adds anything to the existing equitable duty of a court in the exercise of its discretion under section 187B;

3) the jurisdiction is to be exercised with due regard to the purpose for which was conferred, namely to restrain breaches of planning control, and flagrant and prolonged defiance by a defendant of the relevant planning controls and procedures may weigh heavily in favour of injunctive relief;

4) however, it is inherent in the injunctive remedy that its grant depends on a court's judgment of all the circumstances of the case;

5) although a court would not examine matters of planning policy and judgment, since those lay within the exclusive purview of the responsible local planning authority, it will consider whether, and the extent to which, the local planning authority has taken account of the personal circumstances of the defendant and any hardship that injunctive relief might cause, and it is not obliged to grant relief simply because a planning authority considered it necessary or expedient to restrain a planning breach;

6) having had regard to all the circumstances of the case, the court will only grant an injunction where it is just and proportionate to do so, taking account, inter alia, of the rights of the person or persons against whom injunctive relief is sought, and of whether it is relief with which that person or persons can and reasonably ought to comply.

30. The well-known principles laid down by the House of Lords in *American Cyanamid Co. v. Ethicon Limited* [1975] AC 396 apply to the Court's exercise of discretion (see 406F, 407G, 408F).

31. It is to be noted that each of the appeals in *Porter* concerned cases where the Local Planning Authority were seeking mandatory injunction orders to remove persons who had taken up

occupation of their land in breach of planning control. This application does not seek any mandatory steps. This application for an interim injunction seeks only to preserve the status quo at this point.

BREACHES OF PLANNING CONTROL

32. The evidence available to date clearly demonstrates that there have been breaches of planning control. On plot HS/1 there has been operational development, engineering operations and a material change of use. These works appear to have been undertaken by Mr Bill Lee who owns Plot HS/4 and was due to have a further caravan delivered. Mr Lee continued to undertake works after planning officers had instructed him not to and Mr Culley noted a new shed on 19th May 2025. Bill Lee has vacated Plot 2 but he has left the mobile home and shed in situ so it is ready to be occupied. Mr Wesy Lee was on the Land on 19th May 2025 and complained that his land would be "worthless" and could not "put anything on it" which suggests development. Mr Culley sets out at para 34 of WS6 that there have been attempts to sell this plot (and Plot 2). Plot 4 owned by Mr Jeeves did contain 3 static caravans, 1 tourer, 2 sheds and dog kennels. This is all the more surprising given that there were injunction orders on adjacent plots and that Mr Jeeves has been served with an enforcement notice to remove hard standing on his plot. Mr Jeeves and Mr Bigmore and Ms Harbour have undertaken development without planning consent. They are fully aware that this is unauthorised and have proceeded anyway. There is inconsistency as to ownership of that plot. There is inconsistency as to intentions for the residential occupation. Mr Jeeves has gone from having no intention of residing there, to temporarily residing there to intending to occupy a static caravan with his 17 year old son[21]. More recently, there have been planning applications for this plot and the requirements of

[21] LT/WS3/8 [**588**]

an enforcement notice (appealed unsuccessfully) have not been fully complied with. There are serious concerns in relation to this plot.

THE NEED FOR AN INJUNCTION

33. In his First witness statement at para 22 [**124**], Mr Culley sets out why other enforcement options are not appropriate in this case. Firstly, an Enforcement Notice cannot attack an anticipated breach of planning control of which further breaches are expected. Secondly, the process is lengthy (as can be seen on this Land – 12 months after service, there is not resolution of the enforcement notice for Plot 2 and in relation to Plot 4 Mr Jeeves has been difficult in relation to compliance and a further enforcement notice has been served). Thirdly, the ultimate sanction for breaching an enforcement notice or a stop notice is criminal proceedings but the penalty is a fine. By the time the Council waits for further breaches to take place, even more harm will have been caused. Furthermore, if residential occupation is the goal of those doing the works, it can be taken up very quickly and once occupants are on site it is a very lengthy process to remove them.

34. The fluidity of ownership on the Land possibly continues with changes at Plot 5 (see para 8 AC 9th WS).

35. The Council has issued and served enforcement notices relating to the unauthorised development but this is a long term strategy and the position is not fully resolved. Mr Culley has recently been to the Land and states in his Ninth witness statement that "*there are waste pipes lying in the hedgerow, a blue plastic barrel and other bits of rubbish. Removal of these was required and KEITH JEEVES had said would be removed within a fortnight in the phone call on 3RD June 2026*".

36. There is one outstanding planning application (Plot 4)[22], there is one outstanding appeal against an enforcement notice (Plot 2)[23], full compliance with issued enforcement notices on Plot 4 is still pending, and there may still be a further enforcement notice appeal lodged. An extension of 12 months should allow these applications/appeals to finalise.

37. It is pertinent that, despite being allowed the opportunity to submit evidence (and being advised this should contain a statement of truth), those who were at the last court hearing have not done so.

38. The Land is highly sensitive. It lies within a designated National Landscape (formerly AONB), it lies adjacent to Ancient Woodland (an irreplaceable habitat) and within 400m of a Site of Special Scientific Interest (SSSI). It lies within the open countryside. Furthermore, there is an issue of highway safety which was confirmed by the Highways Authority (KCC) [**496**]. There are numerous planning/environmental harms already and the Council has justifiable fears that these will be compounded.

39. Applying the approach in *American Cyanamid* the Claimant submits that:

    i. There is a compelling case that works which have taken place will lead to further breaches of planning control on the Land. Those breaches make it more likely that there will be similar breaches of planning control on adjacent plots. In other words, there is a serious question to be tried; and

    ii. The Local Planning Authority cannot adequately be compensated in damages for a breach of planning control.

40. In the premises, the balance of convenience lies in preserving the lawful use of the land and enforcing proper planning control in the public interest.

[22] AC WS 9 para 5
[23] AC WS 9 para 5

CONCLUSIONS

41. In the circumstances of the present case, the Claimant submits that an injunction in the terms sought will not involve an interference with the Defendants' Human Rights (as any occupation that was taken up – Bill Lee – has ceased) or, alternatively, any such interference is necessary and proportionate having regard to all the circumstances known to the Claimant at present and the public interest in protecting the environs.

42. The Defendants can continue to use their land without breaching planning control and can apply for planning permission in the usual way for works that require consent.

43. In the premises, the Claimant submits that it is appropriate for an injunction to be granted in the terms of the draft Order.

44. The Claimant also seeks an Order for alternative service of any injunction order granted to ensure the earliest possible compliance with proper planning control. In the circumstances, the Court can be satisfied that service by way of the alternative method proposed will come to the attention of the Defendants and will assist in preserving the lawful use of the Land.

45. The Claimant is willing to give the undertakings listed in the draft Order. There is no undertaking as to damages. From *Kirklees MBC v Wickes Building Supplies Ltd* [1993] A.C. 227, the court may exercise its discretion not to require such an undertaking, taking into account the circumstances of the case and that the claimant is a local authority with the function of enforcing the law in its district in the public interest. This has more recently been considered in the context of s.187B in the cases of *Basingstoke & Deane BC v Loveridge* [2018] EWHC 2228 (QB) [**16**] and *South Downs National Park Authority v Daroubaix* [2018] EWHC 1903 (QB) [**16**].

EMMALINE LAMBERT

CORNERSTONE BARRISTERS

2-3 GRAY'S INN SQUARE

LONDON

28th September 2026

Annex 1

Table of service

Defendant	When served	What was served	Comments
Michael Larter (no longer a Defendant)	17th May 2025 on a gate that leads to the field to the east of Mr Lee's plot	See HS/WS1/14	Mr Larter called the Council on 19th May 2025 and had received the injunction (AC/WS1/17)
Keith Jeeves	17th May 2025 in person and on a gate that leads to a field to the south of Mr Jeeves' plot 19th May 2025 in person 30th May 2025 in person 3rd June 2025 in person 6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes 5th June 2026 service of the order together with covering letter with QR code	See HS/WS1/14 See AC/ WS4/5 – unsealed injunction order pack See AC/ WS4/16 – sealed injunction order pack See AC/WS5/8 AC/WS8/11	On fence of his plot addressed to him Post on entrance to Plot 4
Curtis Love	17th May 2025 on a fence post at the entrance to the plot that he owns 30th May 2025 on a fence post at the entrance to the plot that he owns	See HS/WS1/14 See AC/ WS4/15 – unsealed injunction order pack	

	3rd June 2025 on a a fence post at the entrance to the plot that he owns 6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes 5th June 2026 service of the order together with covering letter with QR code	See AC/ WS4/15 – sealed injunction order pack See AC/WS5/8 AC/WS8/11	 On fence of his plot addressed to him Post rail of plot 1
Bill Lee	17th May 2025 in person 19th May 2025 in person 23rd May 2025 in person via Kelsey Stevens 23rd May 2025 via first class post at the address on the TP1 6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes 5th June 2026 service of the order together with covering letter with QR code	See HS/ WS1/4 See AC/WS2/25 See LT/WS2/4 See IZ WS1/3 See AC/WS5/8 AC/WS8/11	The Council is not clear if they served Bill Lee or Bill Leonard Lee as it only became clear on receipt of TP1s On steps of his caravan addressed to him Gate plot 2 Gate plot 6

Bill Leonard Lee	19th May – if not in person (see above) then as Persons Unknown 23rd May 2025 in person via Kelsey Stevens 6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes 5th June 2026 service of the order together with covering letter with QR code	See AC/WS2/26 See LT/WS2/4 See AC/WS5/8 AC/WS8/11	The Council is not clear if they served Bill Lee or Bill Leonard Lee as it only became clear on receipt of TP1s On steps of caravan addressed to him Gate plot 2 Gate plot 6
Wesy Bill Wally Lee	19th May in person as Persons Unknown 23rd May 2025 at plot 23rd May 2025 via first class post at the address on the TP1 6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes 5th June 2026 service of the order together with covering letter with QR code	See AC/WS2/26 See LT/WS2/4 See IV/WS1/3 See AC/WS5/8 AC/WS8/11	On gate of his plot addressed to him Gate post plot 3

Roy Christopher Draper	19th May Alternative Service 23rd May 2025 at plot 23rd May 2025 by post to address at HMLR 5th June 2026 service of the order together with covering letter with QR code	See AC/WS2/34 See LT/WS2/4 See IV/ WS/3 AC/WS8/11	Mr Draper spoke to Ms Visagie on 4th June 2025 and said he did not own the land and had sold it to Bill Lee. He said the property had not been "legally transferred" (Izindi Visagie WS/6) Gate plot 2
Albie John Wilkins	19th May Alternative Service 23rd May 2025 at plot 23rd May 2025 by first class post to the address at HMLR 23rd May 2025 in person by process server at the address at HMLR 29th May 2025 by post to the office address provided by Mr Bateson 6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes	See AC/WS2/34 See LT/WS2/4 See IV/ WS1/3 See IV/WS1/2 See IV/ WS1/5 See AC/WS5/8 AC/WS8/11	The process server was unable to serve the documents personally as he could not access the property. On 29th May 2025, Ms Visagie was notified by Mr Bateson that Mr Wilkins did not live at this address (See IV WS/4) On gate of his plot addressed to him Gate plot 5

	5th June 2026 service of the order together with covering letter with QR code		
Persons Unknown	17th May 2025 on a gate along Church Road at the north end of the Land 19th May 2025 23rd May 2025 30th May 2025 3rd June 2025 6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes 5th June 2026 service of the Order printed on waterproof paper on a stake in plot 1 and with covering letters with QR codes at other plots	See HS/ WS1/4 See AC/WS2/34 See LT/WS2/4 See AC/ WS4/10 See AC/ WS4/15 – sealed injunction order pack See AC/WS5/8 See AC/WS8/11	On the gate of the Northern Field with covering letter to Persons Unknown
Jonny Bigmore	6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes	See AC/WS5/8 AC/WS8/11	On the fence of Keith Jeeves's plot addressed to Jonny Bigmore Post entrance Plot 4

	5th June 2026 service of the order together with covering letter with QR code		
Bonny Harbour	6th June 2025 service of the Sealed Injunction Orders together with covering letters with QR codes 5th June 2026 service of the order together with covering letter with QR code	See AC/WS5/8 AC/WS8/11	On the fence of Keith Jeeves's plot addressed to Bonny Harbour Post entrance to Plot 4

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

MR[S] JUSTICE [ ]

DATED 7th OCTOBER 2026

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the named Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers TT171000, TT171902, TT171996, TT171757, TT173927 and TT173872)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED: BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT

1. This Order prohibits you from doing the acts set out in this Order. You should read the terms of the Order and the guidance notes very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge the Order.

2. If you disobey this order you may be found guilty of Contempt of Court and may be sent to prison or fined. In the case of a Corporate Defendant, it may be fined, its Directors may be sent to prison or fined or its assets may be seized.

UPON the Claimant's urgent application without notice for an injunction pursuant to section 187B of the Town and Country Planning Act 1990.

AND UPON the Claimant's application for an interim injunction being heard without notice on 16 May 2025 by the Honourable Ms. Justice Eyre and being varied on application by the Claimant on 23 May and 30 May by Mr Justice Dexter Dias and continued for 12 months on 6th June 2025 by the Honourable Mr Justice Lavendar, having heard from the Third Defendant and further continued on 4th June 2026 by Mr Malcolm Sheehan KC (Sitting as a Deputy Judge of the High Court).

AND UPON READING the Claim Form, the Application Notice, the Details of the Claim, the witness statements of the Claimant as set out under Schedule A and accepted the undertakings listed in Schedule B at the end of this Order.

UPON hearing Counsel for the Claimant, and upon hearing from [ ], and upon reading the witness statements listed in Schedule A and upon accepting the undertakings listed in Schedule B

IT IS ORDERED THAT FROM ALTERNATIVE SERVICE BEING EFFECTED FOR A PERIOD OF 12 MONTHS (UNTIL 7th October 2027) OR FURTHER ORDER:

THE INJUNCTION

1. In relation to the Land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers TT171000, TT171902, TT171996, TT171757, TT173927 and TT173872 (the Land) as shown edged red on the attached plan, the Defendants whether by themselves or by instructing, encouraging or permitting any other person must not use the Land or carry out works to the Land in breach of planning control and, in particular, must not:

i. Allow the use of the Land for human habitation or residential occupation or any other purpose in breach of planning control;

ii. Bring onto the Land any touring caravans and/or mobile homes (over and above one mobile home on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

iii. Bring /erect/install any buildings or structures (over and above one shed existing on the Land) for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;

iv. Bring onto the Land any portable structures including portable toilets and any other further items and paraphernalia for purposes associated with human habitation or residential occupation or any other purpose in breach of planning control;

v. Bring onto the Land any further waste materials and/or hardcore and/or like materials for any purpose, including the further creation/laying of hardstandings or hard surfaces, in association with the use of Land for the stationing of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vi. Carry out any further works in relation to the formation of paths, roadways or any works including the provision of sewerage, water and electricity infrastructure associated with the use of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vii. Carry out any further works to the Land associated with or in preparation for its use for stationing caravans/or mobile homes or for the erection of a building and/or any structure for human habitation or residential occupation or any other purpose in breach of planning control;

viii. Undertake any further development on the Land as defined in section 55 of the Town and Country Planning Act 1990 without the express grant of planning permission.

IT IS FURTHER ORDERED THAT:

ALTERNATIVE SERVICE

1. Pursuant to CPR 6.15 and 6.27, permission for alternative service of this order on the Defendants is granted.

2. Service of this Order on all Defendants may be effected by the Claimant:

a. Affixing sealed copies of the Order in transparent waterproof envelopes at conspicuous locations including on a stake on the Land;
b. Posting by way of first class post sealed copies of the Order to Defendants whose addresses are known to the Claimant.

3. This shall be deemed to be good and sufficient service of this Order on the date copies of the Order are affixed on the Land on all of the Defendants and the need for personal service of this Order is dispensed with in relation to each of the Defendants for the purposes of CPR Part 81.

4. The Claimant shall also provide a QR code with the Order providing access to the Application Notice, Counsel's skeleton argument and evidence in support of the Application.

5. The Claimant shall publish a sealed copy of this Order on the Claimant's website (where details including the time, place and date of any hearing shall also be published).

6. Subject to further order, copies of any future documentation may be validly served on the Defendants in the ways specified above.

VARIATION OR DISCHARGE OF THIS ORDER

7. The Defendants may each of them (or anyone notified of this Order) apply to the Court on 48 hours written notice to the Claimant's legal representatives to vary or discharge this Order (or so much of it as affects that person). Except that the hours between 5pm on any Friday and 9am on any Monday cannot be counted as part of the 48 hours' notice period.

8. Any person, other than named Defendants, who wishes to be heard must apply to the court to be added as a named defendant to these proceedings and must provide their names and contact details in the application.

COSTS OF THE APPLICATION

9. Costs reserved.

10. Liberty to apply.

GUIDANCE NOTES

Effect of this Order – The Defendants

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

Effect of this Order - Parties other than the Claimant and Defendants

It is a Contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

The grant of this order does not prevent the Defendants from raising any objection of law, practice, justice or convenience at the Return Date or other hearing before the court.

Interpretation of this Order

1. In this Order, the words "the Land" means land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers TT171000, TT171902, TT171996, TT171757, TT173927 and TT173872 edged red on the attached plan.

2. In this Order, where there is more than one Defendant (unless otherwise stated) references to "the Defendants" means each or all of them.

3. A requirement to serve on "the Defendants" means on each of them. However, the Order is effective against any Defendant on whom it is served.

4. An Order requiring "the Defendants" not to do anything applies to all Defendants.

5. In this Order, the Sixth Defendant identified only as "Persons Unknown" refers to those adult persons who are not named Defendants to this Application who have an interest in the Land and/or intend to carry out further works to the Land and/or intend to occupy the Land.

Communications with the Court

All communications to the Court about this Order should be sent to Room WG08, Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010). The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday except holidays.

SCHEDULE A

Evidence

The Judge read the following written evidence before making this Order:-

1. Sixth Witness Statement of Andrew Culley dated 21st May 2026
2. Seventh Witness Statement of Andrew Culley dated 29th May 2026
3. Eighth Witness Statement of Andrew Culley dated 1st July 2026
4. Ninth Witness Statement of Andrew Culley 28th September 2026

SCHEDULE B

Undertakings given to the Court by the Claimant:-

1. As soon as practicable the Claimant will serve on the named Defendants a sealed copy of this Order, and evidence (provided electronically to be accessed via QR code) in support of the Application and any future documentation pursuant to the Order for alternative service herein.
2. To use the Claimant's best endeavours to effect personal service on the named Defendants.

Name and Address of Claimant's Legal Representatives:-

Mid Kent Legal Services
Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Tel: 01622 602126
Email: heather.stevens@midkent.gov.uk

Claim No. KB-2025-001812
Matter no. KB-2025-001739

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

DATED

IN THE MATTER

B E T W E E N:-

TUNBRIDGE WELLS BOROUGH COUNCIL
Claimant

-and-

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the named Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers TT171000, TT171902, TT171996, TT171757, TT173927 and TT173872)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

INJUNCTION ORDER

PENAL NOTICE

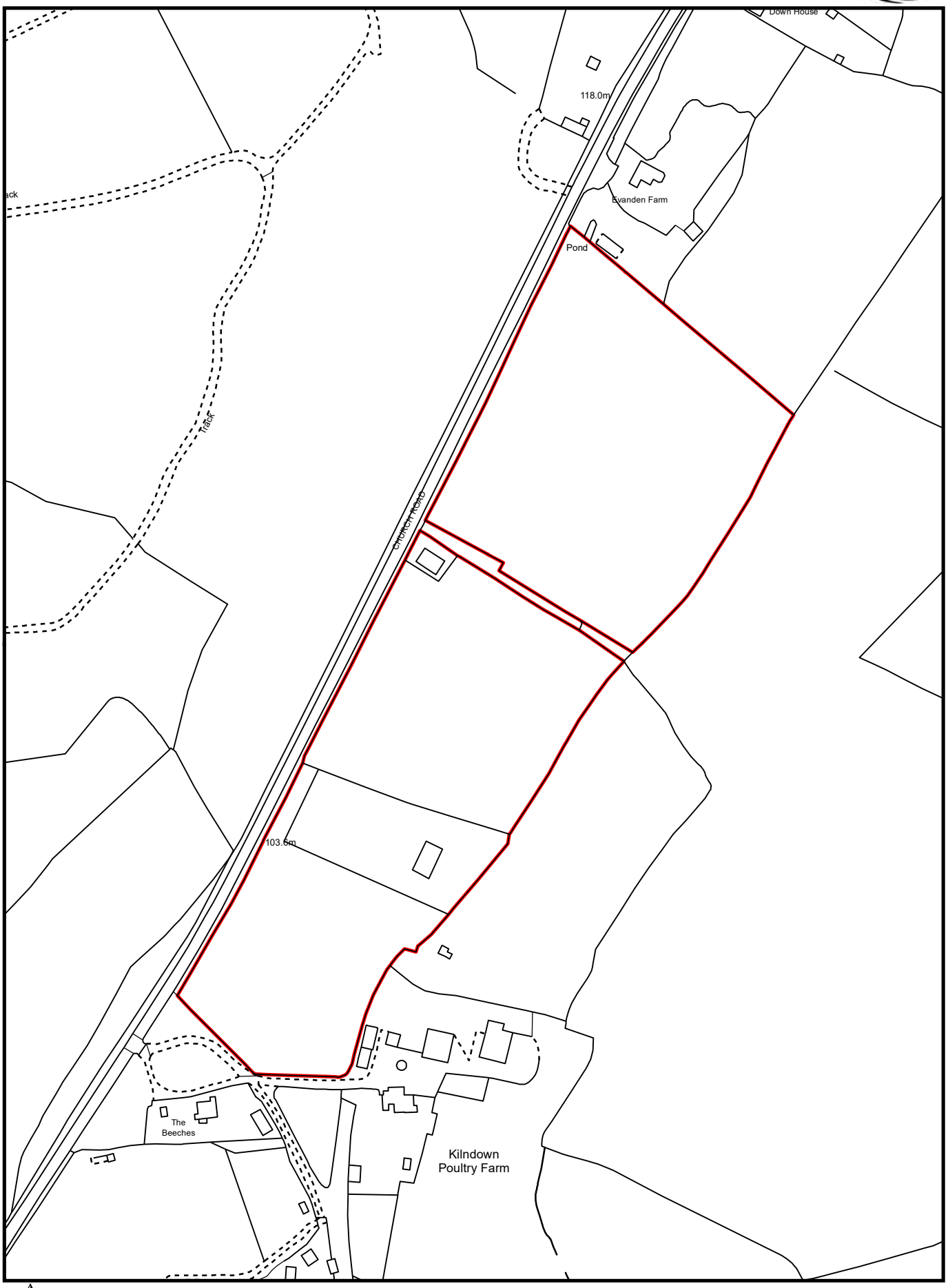
IF YOU THE WITHIN NAMED DEFENDANTS, BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED

Mid Kent Legal Services
Tunbridge Wells Borough Council
TN1 1RS
Tel: 01622 602126
Email: heather.stevens@midkent.gov.uk

PLAN OF THE LAND BETWEEN KILNDOWN POULTRY FARM AND EVANDEN FARM, CHURCH ROAD, KILNDOWN, CRANBROOK, KENT
(REGISTERED AT HM LAND REGISTRY UNDER TITLE NUMBERS TT171000, TT171902, TT171996, TT171757, TT173927 AND TT173872) AS SHOWN EDGED RED

Tunbridge Wells Borough Council



Scale 1:2,500

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Map Dated: May 2025

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-001812
Matter no. KB-2025-001739

KING'S BENCH DIVISION
IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE THE HONOURABLE MR JUSTICE LAVENDER
DATED 6th June 2025

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL
Claimant

and

BILL LEE
BILL LEONARD LEE
WESY BILL WALLY LEE
ROY CHRISTOPHER DRAPER
ALBIE JOHN WILKINS
PERSONS UNKNOWN (being those, whether the extended family of the named Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000, TT171757)
KEITH JEEVES
CURTIS LOVE
BONNY HARBOUR
JONNY BIGMORE

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED: BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT

This Order prohibits you from doing the acts set out in this Order. You should read the terms of the Order and the guidance notes very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge the Order.

If you disobey this order you may be found guilty of Contempt of Court and may be sent to prison or fined. In the case of a Corporate Defendant, it may be fined, its Directors may be sent to prison or fined or its assets may be seized.

On the 6th June 2025 Mr Justice Lavender considered the Applications brought by Tunbridge Wells Borough Council ("the Claimant") for an injunction supported by the Witness Statements listed in Schedule A and accepted the undertakings listed in Schedule B at the end of this Order.

UPON hearing Counsel for the Claimant and upon hearing from the Third Defendant (whose made representations on his behalf) and upon reading the witness statements listed in Schedule A and upon accepting the undertakings listed in Schedule B

IT IS ORDERED THAT FOR A PERIOD OF 12 MONTHS (UNTIL 6th June 2026) OR FURTHER ORDER:

THE INJUNCTION

In relation to the Land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000, TT171757 (the Land) as shown edged red on the attached plan, the Defendants whether by themselves or by instructing, encouraging or permitting any other person must not use the Land or carry out works to the Land in breach of planning control and, in particular, must not:

Allow the use of the Land, save for the area edged blue, for human habitation or residential occupation or any other purpose in breach of planning control;
Bring onto the Land any touring caravans and/or mobile homes (over and above the three mobile homes and one touring caravan existing on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

Bring /erect/install any buildings or structures (over and above the three sheds and one dog kennel structure existing on the Land) for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;

Bring onto the Land any portable structures including portable toilets and any other further items and paraphernalia for purposes associated with human habitation or residential occupation or any other purpose in breach of planning control;

Bring onto the Land any further waste materials and/or hardcore and/or like materials for any purpose, including the further creation/laying of hardstandings or hard surfaces, in association with the use of Land for the stationing of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

Carry out any further works in relation to the formation of paths, roadways or any works including the provision of sewerage, water and electricity infrastructure associated with the use of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

Carry out any further works to the Land associated with or in preparation for its use for stationing caravans/or mobile homes or for the erection of a building and/or any structure for human habitation or residential occupation or any other purpose in breach of planning control;

Undertake any further development on the Land as defined in section 55 of the Town and Country Planning Act 1990 without the express grant of planning permission.

IT IS FURTHER ORDERED THAT:

ALTERNATIVE SERVICE
Service of this Order and related documentation may be effected on the Fifth Defendant, Mr Albie John Wilkins, the Ninth Defendant Ms Bonny Harbour, the Tenth Defendant Mr Jonny Bigmore and Persons Unknown by: the posting of the said Order, the amended Claim Form and evidence (provided electronically to be accessed via QR code) in support of the Application and any future documentation in a transparent waterproof envelope in a prominent position on the Land;

Service of this Order and related documentation may be effected on the Second Defendant, Mr Bill Leonard Lee by the posting of the said Order, the amended Claim Form and evidence (provided electronically to be accessed via QR code) in support of the Application and any future documentation in a transparent waterproof envelope at the mobile home occupied by the Second Defendant on the Land.

Such posting in accordance with paragraphs 2 and 3 shall be deemed to be good and sufficient service on those Defendants of the said Order, the Application Notice, Claim Form and evidence in support of the Application and any future documentation on the date it was so affixed.

The Council shall, in addition, ensure advertisement on the Claimant's website and social media sites which it considers might be reasonably bring this Order to the attention of the Defendants.

THE CLAIM FORM
The Claim Form be amended to include the Seventh – Tenth Defendants.

FURTHER EVIDENCE
The Council to provide witness evidence to demonstrate that the Sixth – Tenth Defendants had notice of the hearing taking place on 6th June 2025.

VARIATION OR DISCHARGE OF THIS ORDER
The Defendants may each of them (or anyone notified of this Order) apply to the Court on 48 hours written notice to the Claimant's legal representatives to vary or discharge this Order (or so much of it as affects that person). Except that the hours between 5pm on any Friday and 9am on any Monday cannot be counted as part of the 48 hours' notice period.

Any person, other than named Defendants, who wishes to be heard under paragraph 8 must apply to the court to be added as a named defendant to these proceedings and must provide their names and contact details in the application.

COSTS OF THE APPLICATION
Costs reserved.

Liberty to apply.

GUIDANCE NOTES

Effect of this Order – The Defendants

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

Effect of this Order - Parties other than the Claimant and Defendants

It is a Contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

The grant of this order does not prevent the Defendants from raising any objection of law, practice, justice or convenience at the Return Date or other hearing before the court.

Interpretation of this Order

In this Order, the words “the Land” means land known as “Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent” registered at HM Land Registry under Title Numbers K871684, TT171000, TT171757 edged red on the attached plan.

In this Order, where there is more than one Defendant (unless otherwise stated) references to “the Defendants” means each or all of them.

A requirement to serve on “the Defendants” means on each of them. However, the Order is effective against any Defendant on whom it is served.

An Order requiring “the Defendants” not to do anything applies to all Defendants.

In this Order, the Sixth Defendant identified only as “Persons Unknown” refers to those adult persons who are not named Defendants to this Application who have an interest in the Land and/or intend to carry out further works to the Land and/or intend to occupy the Land.

Communications with the Court

All communications to the Court about this Order should be sent to King’s Bench Listing Office, Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010). The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday except holidays.

SCHEDULE A

Evidence

The Judge read the following written evidence before making this Order:-

First Witness Statement of Andrew Culley dated 15th May 2025
First Witness Statement of Leanne Tarling dated 15th May 2025
First Witness Statement of Heather Stevens dated 22nd May 2025
Second Witness Statement of Andrew Culley dated 22nd May 2025
Third Witness Statement of Andrew Culley dated 30th May 2025
Second Witness Statement of Leanne Tarling dated 30th May 2025
Fourth Witness Statement of Andrew Culley dated 4th June 2025
Third Witness Statement of Leanne Tarling dated 4th June 2025
Second Witness Statement of Heather Stevens dated 4th June 2025
First Witness Statement of Izindi Visagie dated 4th June 2025
First Witness Statement of Terry Hughes dated 4th June 2025

SCHEDULE B

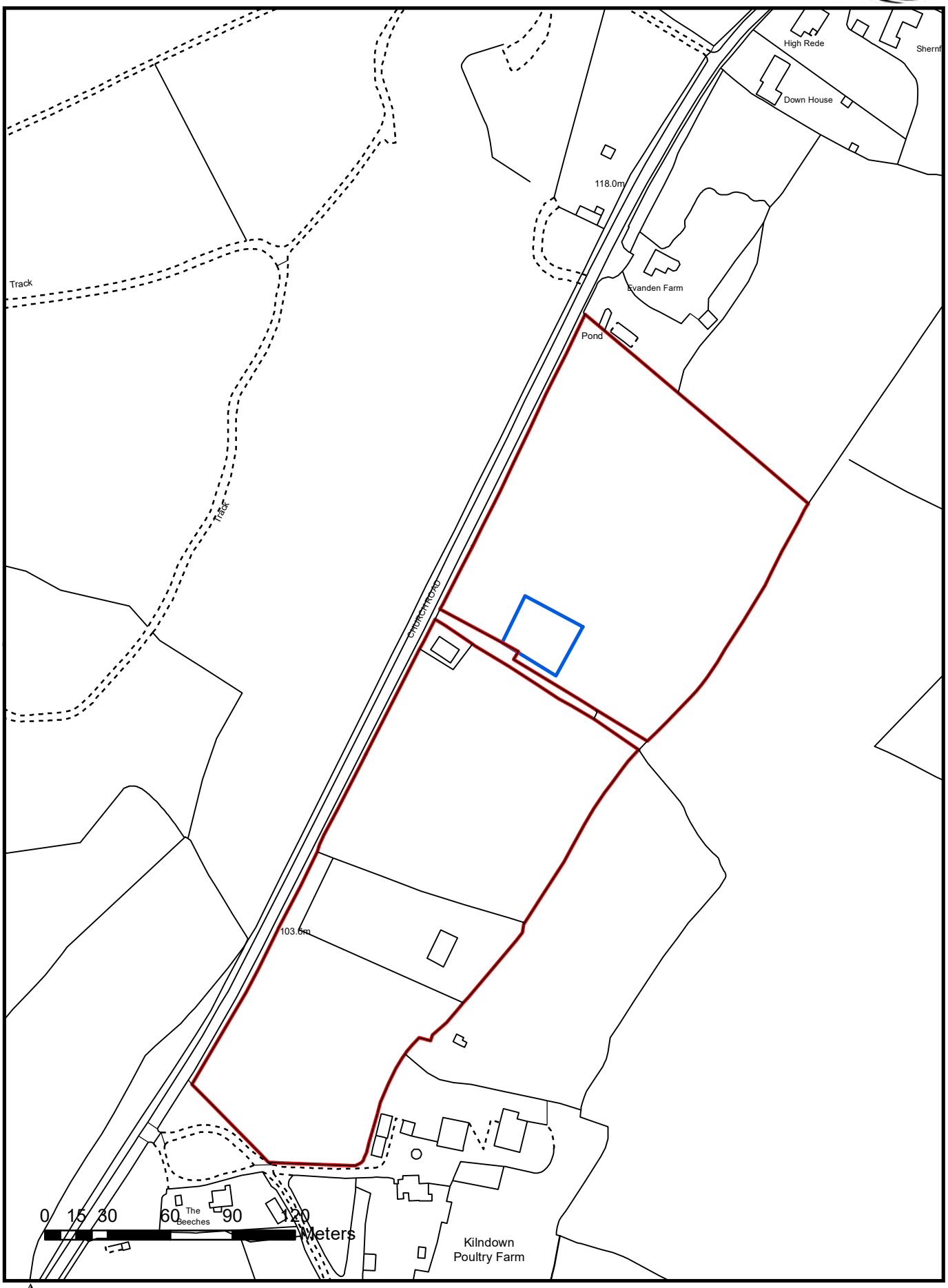
Undertakings given to the Court by the Claimant:-

As soon as practicable the Claimant will serve on the named Defendants a sealed copy of this Order, the amended Claim Form and evidence (provided electronically to be accessed via QR code) in support of the Application and any future documentation pursuant to the Order for alternative service herein.
As soon as practicable the Claimant will serve on the named Defendants the sealed amended Claim Form in this action claiming the appropriate relief.
To use the Claimant's best endeavours to effect personal service on the named Defendants.

Name and Address of Claimant's Legal Representatives:-

Ms Izindi Visagie
Ivy Legal Ltd
4th floor, 33 Cannon Street
London
EC4M 5SB

Tel: 02037455896
Email: izindi@ivylegal.co.uk



Scale 1:2,500

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Map Dated: June 2025

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Name of court High Court of Justice, KBD	**Claim no.** KB-2025-001812/1739
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
PBA0087587	H W F – –
Warrant no. (if applicable)	
Claimant's name (including ref.) Tunbridge Wells Borough Council	
Defendant's name (including ref.) (1) Bill Lee (2) Bill Leonard Lee (3) Wesy Lee (4) Roy Draper (5) Albie Wilkins (6) Persons Unknown	
Date	21/05/26

1. What is your name or, if you are a legal representative, the name of your firm?

   Mid Kent Legal Services

2. Are you a ☐ Claimant ☐ Defendant ☑ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent? Claimant

3. What order are you asking the court to make and why?

   A continuation/variation of the injunction order of Mr Justice Lavendar dated 6 June 2025 for the reasons set out in the witness statement of Andrew Culley (dated 21 May 2026) with exhibits. The Applicant also seeks an abridgement of time for service because the injunction order expires on 6 June 2026.

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☑ at a hearing ☐ without a hearing

   ☐ at a remote hearing

6. How long do you think the hearing will last? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☑ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need? High Court

9. Who should be served with this application? Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- [x] the attached witness statement
- [ ] the statement of case
- [ ] the evidence set out in the box below

If necessary, please continue on a separate sheet.

1. Witness statement of Andrew Culley (dated 21/05/26) and exhibits AC/125 - AC/172
2. Report of Lucinda Roach (dated 21/05/26)

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☑ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☑ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Claudette Valmond

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☑ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
2 1	0 5	2 0 2 6

Full name

Claudette Valmond

Name of applicant's legal representative's firm

Mid Kent Legal Services

If signing on behalf of firm or company give position or office held

Head of Legal Partnership

Applicant's address to which documents should be sent.

Building and street

Town Hall, Mount Pleasant Road

Second line of address

Town or city

Tunbridge Wells

County (optional)

Kent

Postcode

T	N	1		1	R	S

If applicable

Phone number

01622 602126

Fax phone number

DX number

Your Ref.

T021871

Email

heather.stevens@midkent.gov.uk

Statement on behalf of the Claimant
Witness: Izindi Visagie
2nd statement
Dated: 23 June 2025
Exhibits:

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fifth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000 and TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

WITNESS STATEMENT OF IZINDI VISAGIE

I, Izindi Visagie, Partner at Ivy Legal Limited, will say as follows:

1. I make this statement in support of the Claimant's claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990. I am authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. This statement provides information to show that to the best of the Claimant's efforts the Defendants were made aware of the hearing on 6 June by the below means:

Defendant	Means of notification	Address notified	Date of notification
Bill Lee (D1)	Posted on site claim form, order of 23 May 2025, notification of 6 June hearing date	Site address	23 May 2025
	Posted by 1st class post	Four Oaks, Church Hill, Boughton Monchelsea, Kent ME17 4BU being Land Registry address	23 May 2025
	Andrew Culley left notification on the doorstep of the mobile home after speaking to its occupant	Site address, relying on alternative service provision in order of 30 May 2025 made by The Hon. Mr Justice Dexter Dias	5 June 2025
Bill Leonard Lee (D2)	Posted on site claim form, order of 23 May 2025, notification of 6 June hearing date	Site address	23 May 2025
	Service of 30 May 2025 injunction order by handing to D2- Andrew Culley- 4th WS	Site address, relying on alternative service provision in order of 30 May 2025 made by The Hon. Mr Justice Dexter Dias	30 May 2025
	Andrew Culley left documents on the doorstep of the mobile home after speaking to its occupant	Site address	5 June 2025
Wesy Bill Wally Lee (D3) – note Mr Lee	Posted on site claim form, order of 23 May	Site address	23 May 2025

attended court in person on 23 May 2025	2025, notification of 6 June hearing date		
	First class post	Four Oaks, Church Hill, Boughton Monchelsea, Kent ME17 4BU being Land Registry address	23 May 2025
	Posting copies of court documents on a fence on his land- by Andrew Culley	Site address, relying on alternative service provision in order of 30 May 2025 made by The Hon. Mr Justice Dexter Dias	5 June 2025
Roy Christopher Draper (D4)	Posted on site claim form, order of 23 May 2025, notification of 6 June hearing date	Site address	23 May 2025
	Posting copies of 23 May 2025 order by 1st class post	Hill View, Meadow Lane Wickford Essex SS11 7DX	23 May 2025
	Mr Draper contacted me by telephone and I advised him of the hearing and emailed him a copy	Email	5 June 2025
Albie John Wilkins (D5)	Posted on site copies of claim form, order of 23 May 2025 and notification of 6 June hearing	Site address	23 May 2025
	Posted by 1st class post	Hawksbill, Morley Lane, Bicker PE20	23 May 2025

		3DP being Land Registry address	
	Service by 1st class post	Bozon hall Wash road Kirton PE20 1QJ	29 May 2025
	Process server delivered to the site (Lincsprocess)	Bozon hall Wash road Kirton PE20 1QJ	5 June 2025
Persons Unknown (D6)	Posted on site claim form, order of 23 May 2025, notification of 6 June hearing date	Site address	23 May 2025
	Posting copies of injunction order of 30 May 2025- Andrew Culley 4th WS	Site address, relying on alternative service provision in order of 30 May 2025 made by The Hon. Mr Justice Dexter Dias	3 June 2025
Keith Jeeves (D7)	Personal service of 30 May 2025 order- Andrew Culley- 4th WS	Site address	30 May 2025
	Posting copies of court documents on a fence on his land- by Andrew Culley	Site address	5 June 2025
	Email correspondence with Mr Stuart Carruthers, agent for D7	Email	3 June 2025
Curtis Love (D8)	Posting of the injunction order of 30 May on the land- Andrew Culley (4th WS)	Site address	30 May 2025

	Posting copies of court documents on his land- by Andrew Culley		5 June 2025
Bonny Harbour (D9)	Personal service of 30 May 2025 order- Andrew Culley- 4th WS	Site address	30 May 2025
	Posting copies of court documents on a fence on her land- by Andrew Culley	Site address	5 June 2025
	Email correspondence with Mr Stuart Carruthers, agent for D9	Email	3 June 2025
Jonny Bigmore (D10)	Personal service of 30 May 2025 order- Andrew Culley- 4th WS	Site address	30 May 2025
	Posting copies of court documents on a fence on his land- by Andrew Culley	Site address	5 June 2025
	Email correspondence with Mr Stuart Carruthers, agent for D10	Email	3 June 2025

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *Izindi Visagie*

Dated: 23 June 2025

Statement on behalf of the Claimant
Witness: Andrew Culley
5th Statement
Dated: 24 June 2025
Exhibits: AC/90 to AC/124

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

FIFTH WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. On THURSDAY 5 JUNE 2025 at approximately 12:28pm, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer). The reason for our visit was to served court packs, each pack contained 1. N208-Claim Form, 2. Details of the claim, 3. Notes for the defendant, 4. acknowledgement of service (for them to complete if they wanted to contest the claim), 5. N244 Applications for the continuation of the injunctions granted by the court on 23 May 2025 and 30 May 2025, 6. N244 Applications to join new defendants (Keith Jeeves, Curtis Love, Bonny Harbour and Jonny Bigmore) to the claim and continue the injunction against them, 7. Skeleton argument 8. Draft order, the covering letter of the pack also contained links and QR codes to access all the witness statements online. We served these packs at the following locations on the land.

(I) On the gate of Southern Field with covering letter to PERSONS UNKNOWN and I took photo close up and at distance, I **Exhibit as AC/90 and AC/91**.

(II) On the gate of the Northern Field with covering letter to PERSONS UNKNOW and I took photo close up and distance, I **Exhibit as AC/92 and AC/93.**

(III) On the post on CURTIS LOVES land with covering letter to CURTIS LOVE, I took a photo close up and at distance, I **Exhibit as AC/94 and AC/95.**

(IV) On the fence into KEITH JEEVES land the 4 packs with letters addressed to KEITH JEEVES, JONNY BIGMORE, BONNY HARBOUR and PERSONS UNKOWN, I took close up photos and a distance photo, I **Exhibit as AC/96 to AC/98.**

(V) On the gate of the Land owned by WESY LEE with a letter addressed to WESY LEE, I took a close up and distance photo which I **Exhibit as AC/99 and AC/100.**

3. We knocked on the door of the mobile home for BILL LEONARD LEE. KELSY STEVENS (LEE) answered the door, she said BILL was not home, we said we had court packs with covering letters for BILL LEE and BILL LEONARD LEE I took photographs of the packs on the doorstep which I **Exhibit as AC/101 and AC/102** KELSY then took them inside.

4. The 2 static caravans and 1 touring caravan were still on KEITH JEEVES land I took photographs which I **Exhibit as AC/103 to AC/104.** We then left at approximately 12:46.

5. I returned on THURSDAY 5 JUNE 2025 at approximately 17:40pm, to the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer) as we entered

the land a Black Volkswagen estate vehicle was just leaving the land, there were 2 people in the car, one I recognised as JONNY BIGMORE, the car was full of black sacks.

6. When we got to BILL LEONARD LEE's plot KELSY STEVENS was standing in the fenced area of the plot. I served her with the court pack and covering letter addressed to her, I advised her the return date to court was Friday 6 June at 10:30 and that she should seek legal advice. I took a photo which I **Exhibit as AC/105.**

7. As we walked out of BILL LEONARD LEE'S plot I noticed that one of the court packs had gone from the fence on KEITH JEEVES land as the plastic envelope was hanging at an angle, on looking at the court packs left KEITH JEEVES's court pack and covering letter had been removed. I took a photo and **Exhibit as AC/106.**

8. On Friday 6 June 2025 at approximately 17:26pm, I attended the land between Kilndown poultry farm and Evanden farm, Church road, Kilndown, Cranbrook, Kent ("the land") with my colleague LEANNE TARLING (planning investigations officer) as we got to the most southern plot a black pick up truck was parked in the entrance so it was not safe to pull in, we continued up the road and I served Sealed Injunctions Order made by Mr Justice Lavender earlier that day along with covering letters which gave QR codes and website link to access evidence in support of the councils applications in this case, at the following locations

(I) On the gate of the Northern Field with covering letter to PERSONS UNKNOWN and took photo close up and distance, I **Exhibit as AC/107 and AC/108.**

(II) On the post on CURTIS LOVES land with covering letter to CURTIS LOVE I took a photo close up and at distance, I **Exhibit as AC/109 and AC/110.**

(III) On the steps of BILL LENOARD LEE's caravan one for BILL LEE and one for BILL LEONARD LEE and took photos close up and at distance, I **Exhibit as AC/111 and AC/112.**

(IV) On the gate of the Land owned by WESY LEE with a letter addressed to WESY LEE I took a close up and distance photo which I **Exhibit as AC/113 and AC/1114.**

(V) On the fence into KEITH JEEVES land the 4 packs with letters addressed to KEITH JEEVES, JONNY BIGMORE, BONNY HARBOUR and PERSON UNKOWN, I took close up photos and a distance photo, I **Exhibit as AC/115 to AC/119.**

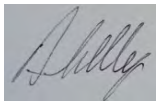
(VI) On the gate of the Land owned by ALBIE WILKINS one a letter addressed to ALBIE JOHN WILKINS and one with a letter addressed to PERSONS UNKNOWN, I took a close up and distance photo which I **Exhibit as AC/120 and AC/121.**

9. As we approached the most southern field in our cars at approximately 17:40 I could see a red van pulled up by the black pickup truck and was just pulling off from the entrance to the

field. As I approached the black pickup truck had its reversing lights on so I let it out and could see 2 people in the truck one was BILL LEONARD LEE and he gave a wave acknowledging me. This surprised me as he had said he didn't know the person he sold the field to previously other than someone who lives in Crowborough and was just keeping horses on the field, yet he had been on the land for at least 15 mins.

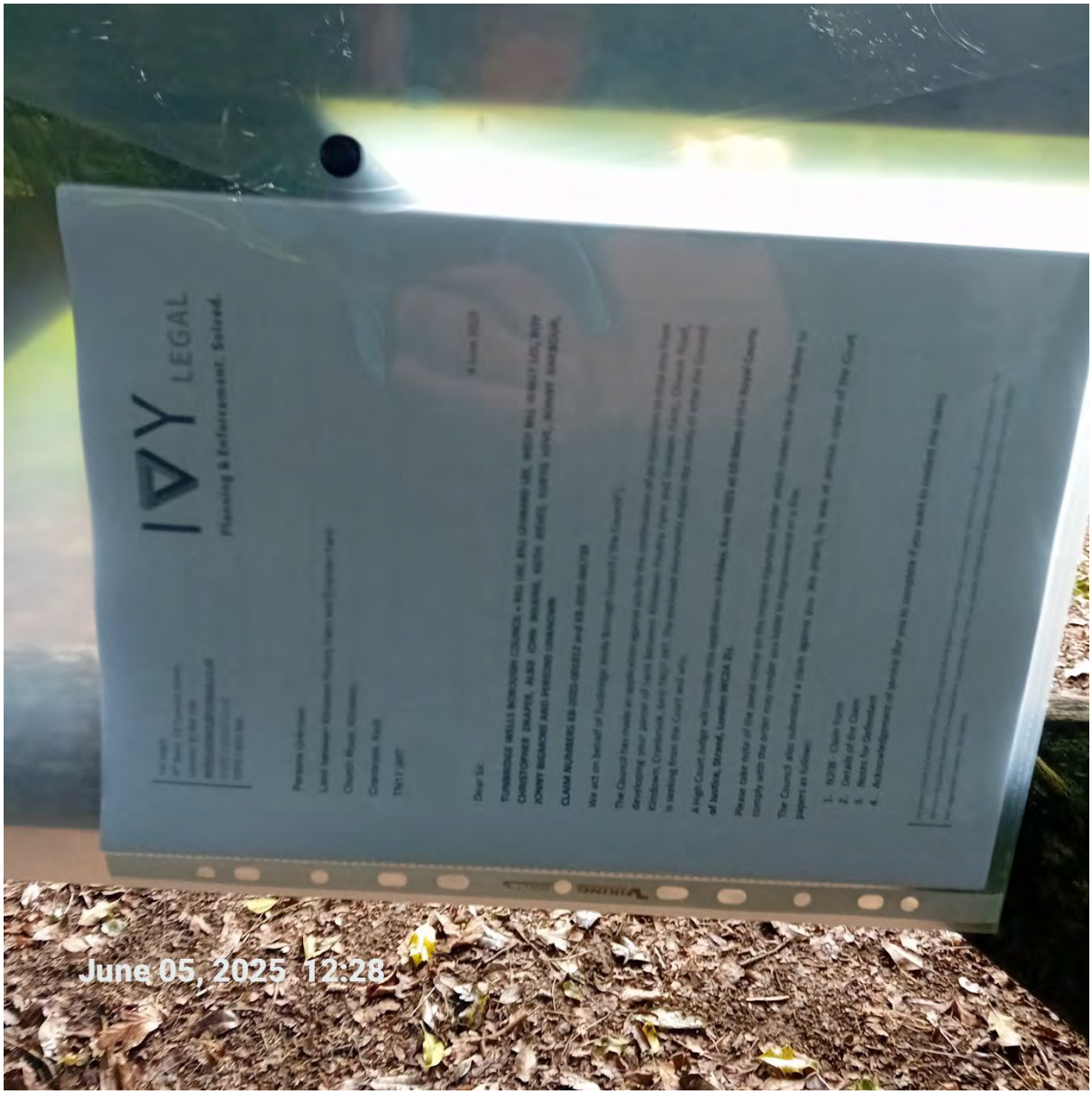
10. I served the Sealed Injunction Order made by Mr Justice Lavender earlier that day with covering letter to PERSONS UNKOWN to the gate of the south field, I took a photo close up and at distance which I **Exhibit as AC/123 & AC/124.**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: 

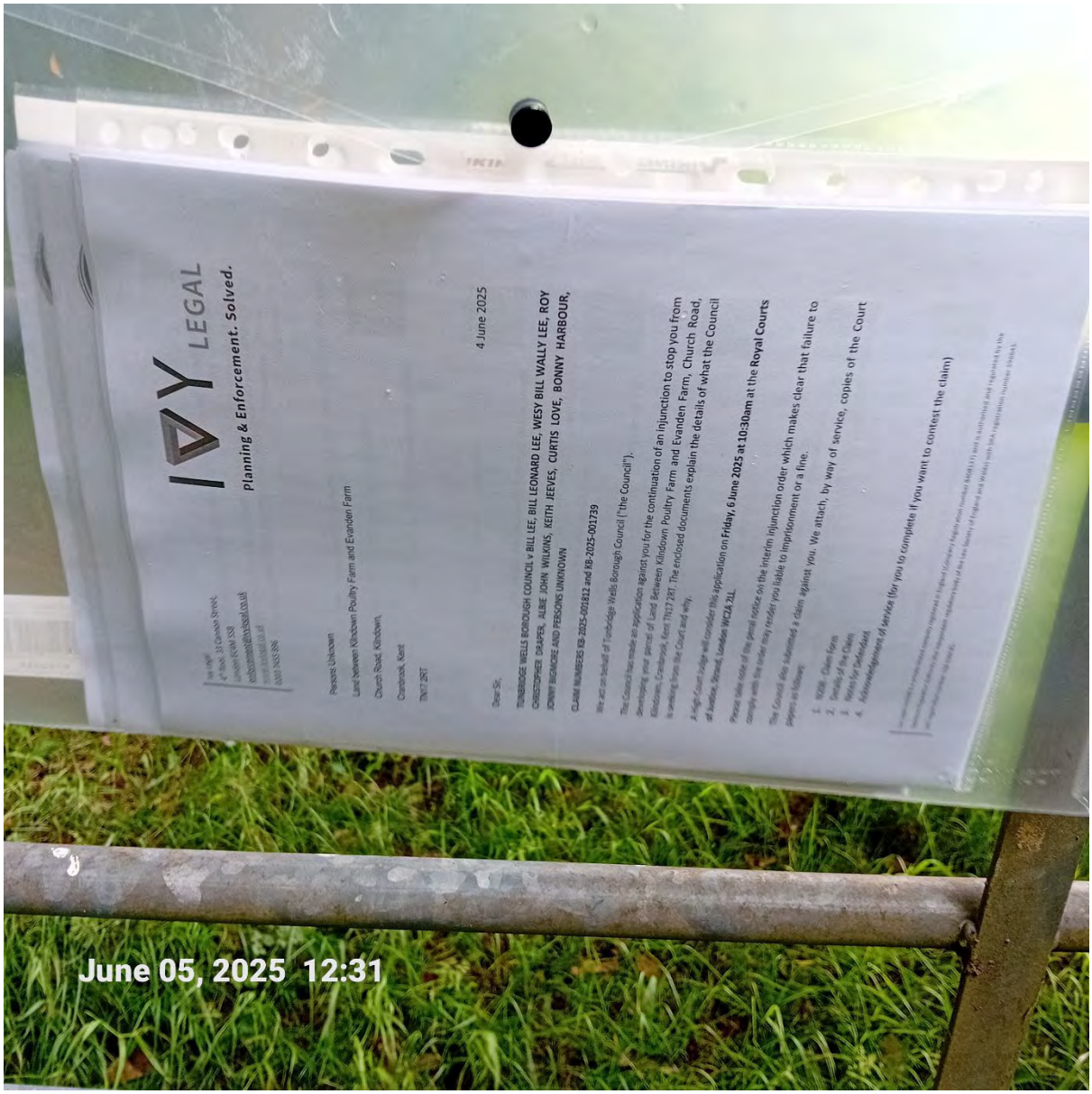
Dated: **24 June 2025**

AC/90 Close up of court pack for Persons Unknown on South field



AC/91 Distance photo of court pack for Persons Unknown on South field

AC/92 Close up of Persons unknown pack on North field gate.

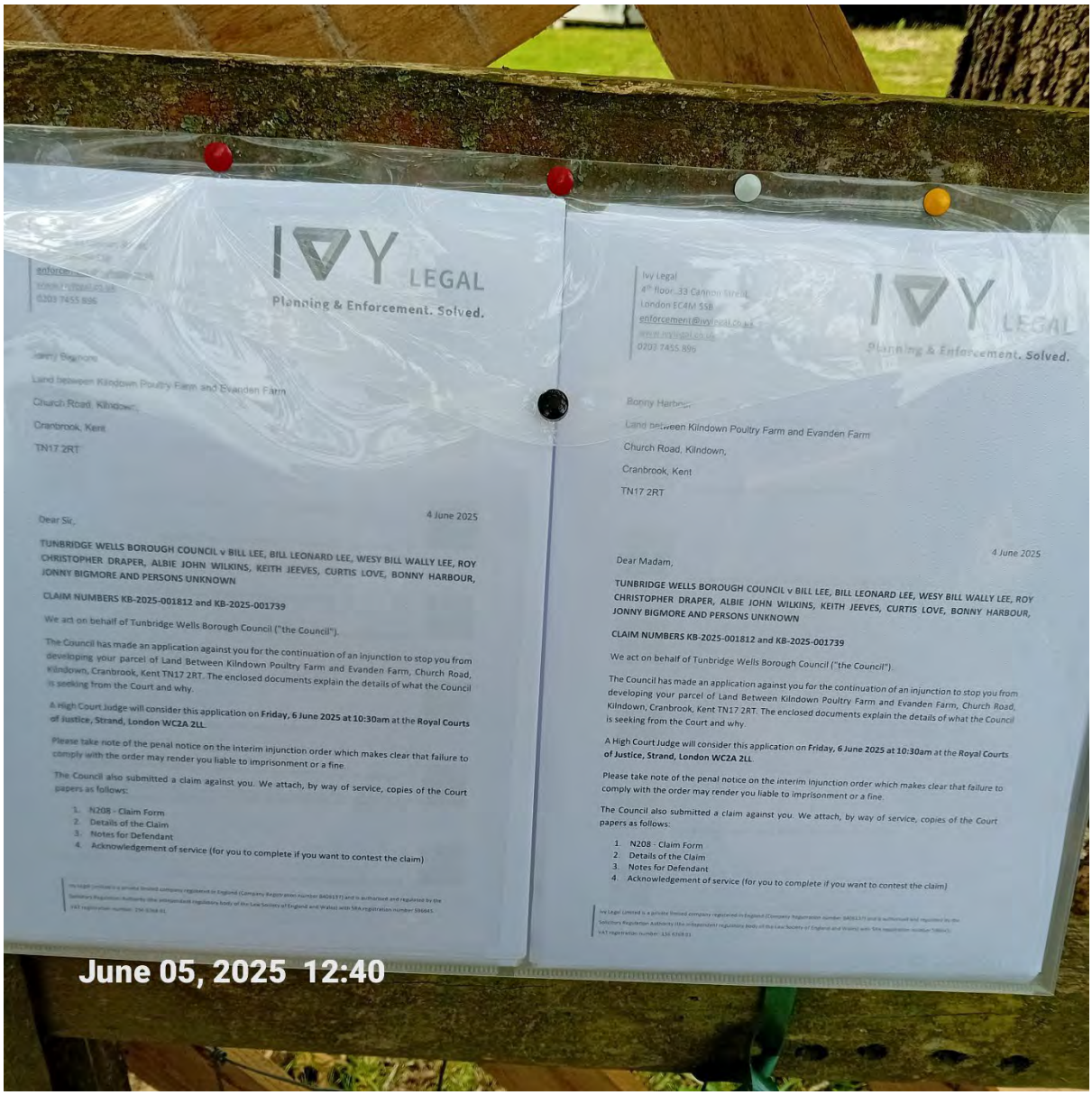


AC/93 Distance photo of Persons unknown pack on North field gate.

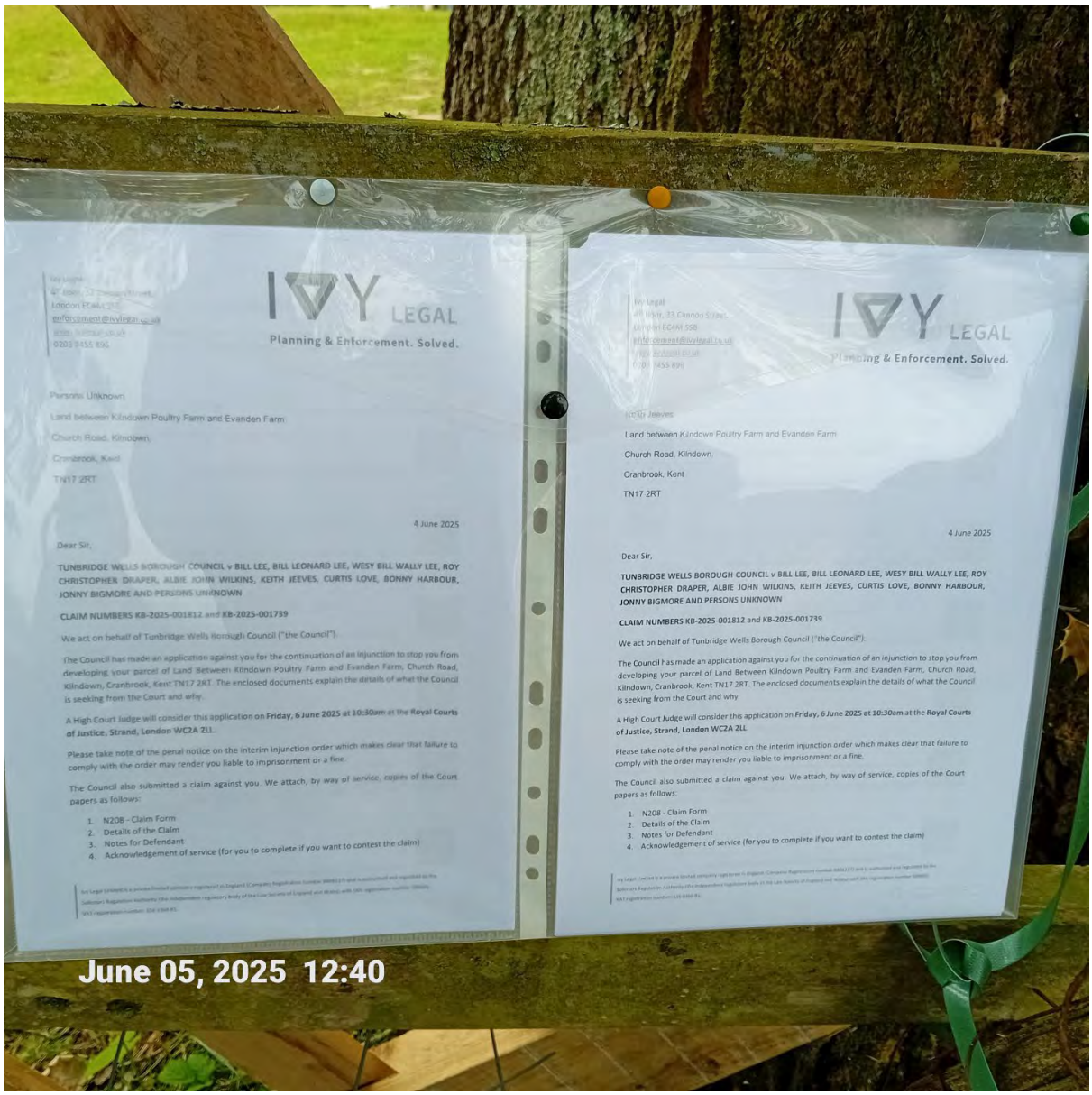
AC/94 Close up of court pack on post of Curtis Loves land.

AC/95 Distance of court pack on post of Curtis Loves land.

AC/96 Close up photo on Keith Jeeves land of court packs with letters to Jonny Bigmore and Bonny Harbour.



AC/97 Close up photo on Keith Jeeves land of court packs with letters to Keith Jeeves and Persons Unkown.

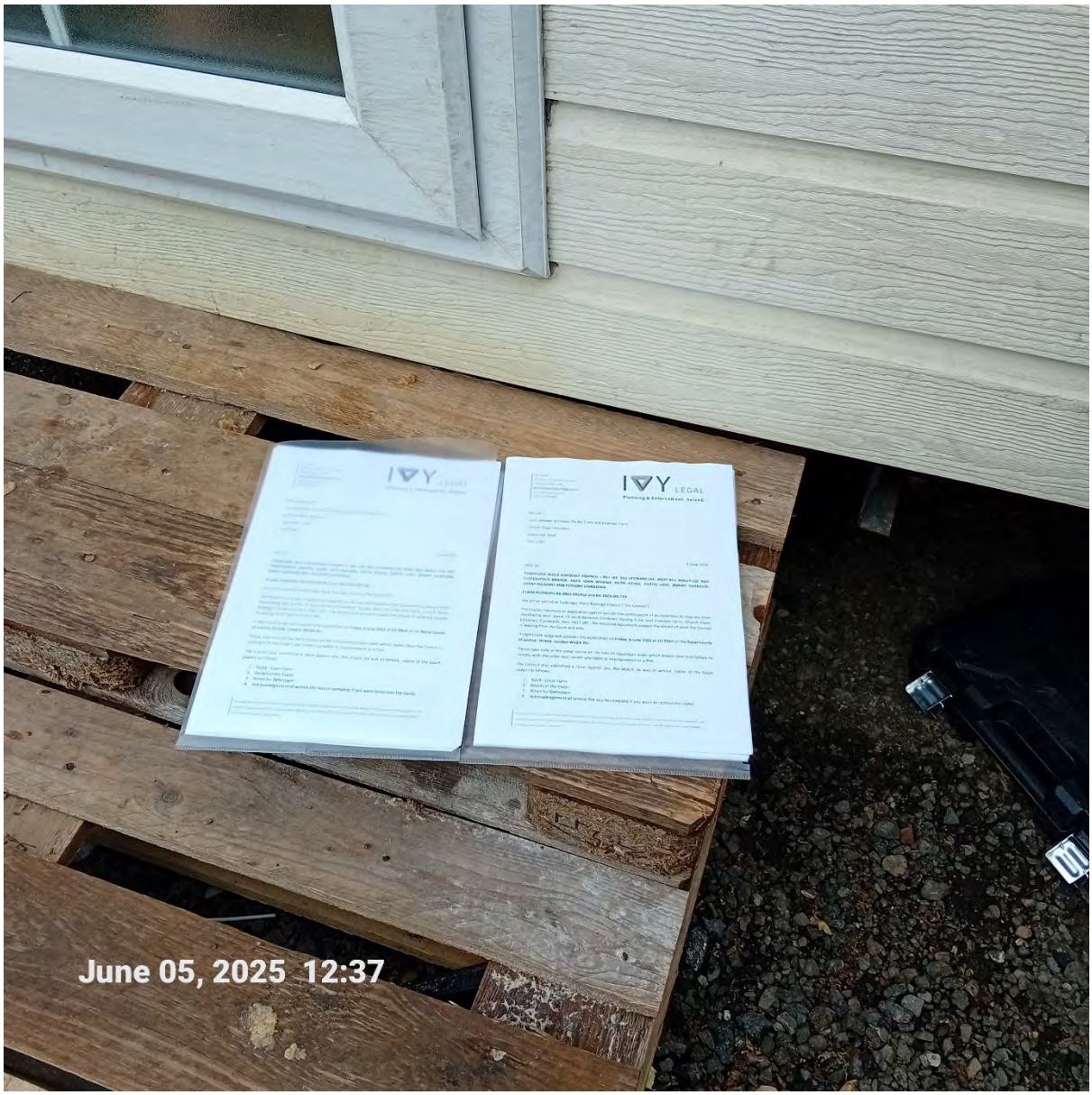


AC/98 Distance photo on Keith Jeeves land of court packs with letters to Jonny Bigmore and Bonny Harbour, Keith Jeeves and Persons unknown.

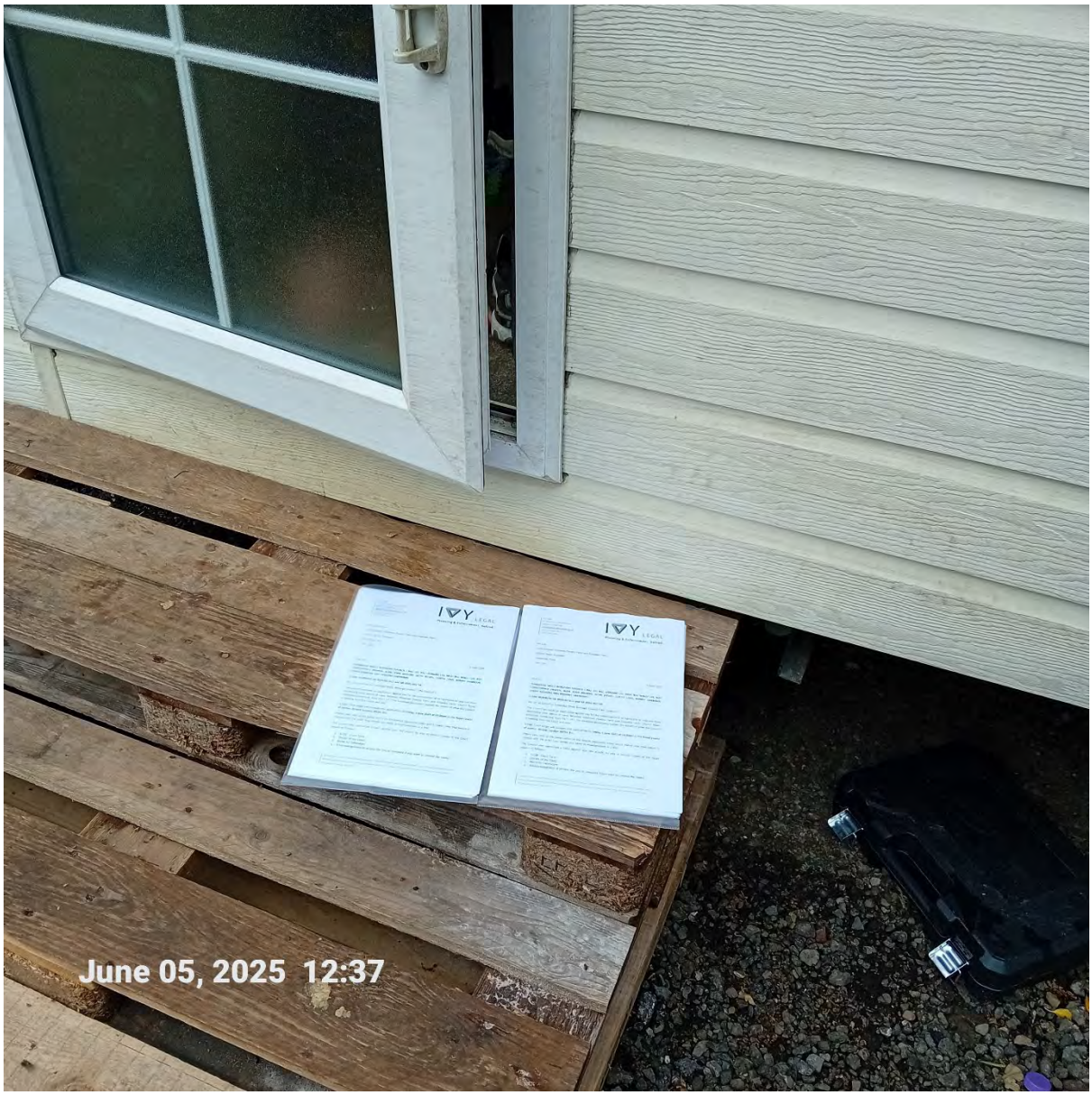
AC/99 Close up of court pack and letter for Wesy Lee on gate to his land

AC/100 Distance photo of court pack and letter for Wesy Lee on gate to his land.

AC/101 Close up of court packs for BILL LEE and BILL LEONARD LEE



AC/102 Court packs for BILL LEE and BILL LEONARD LEE

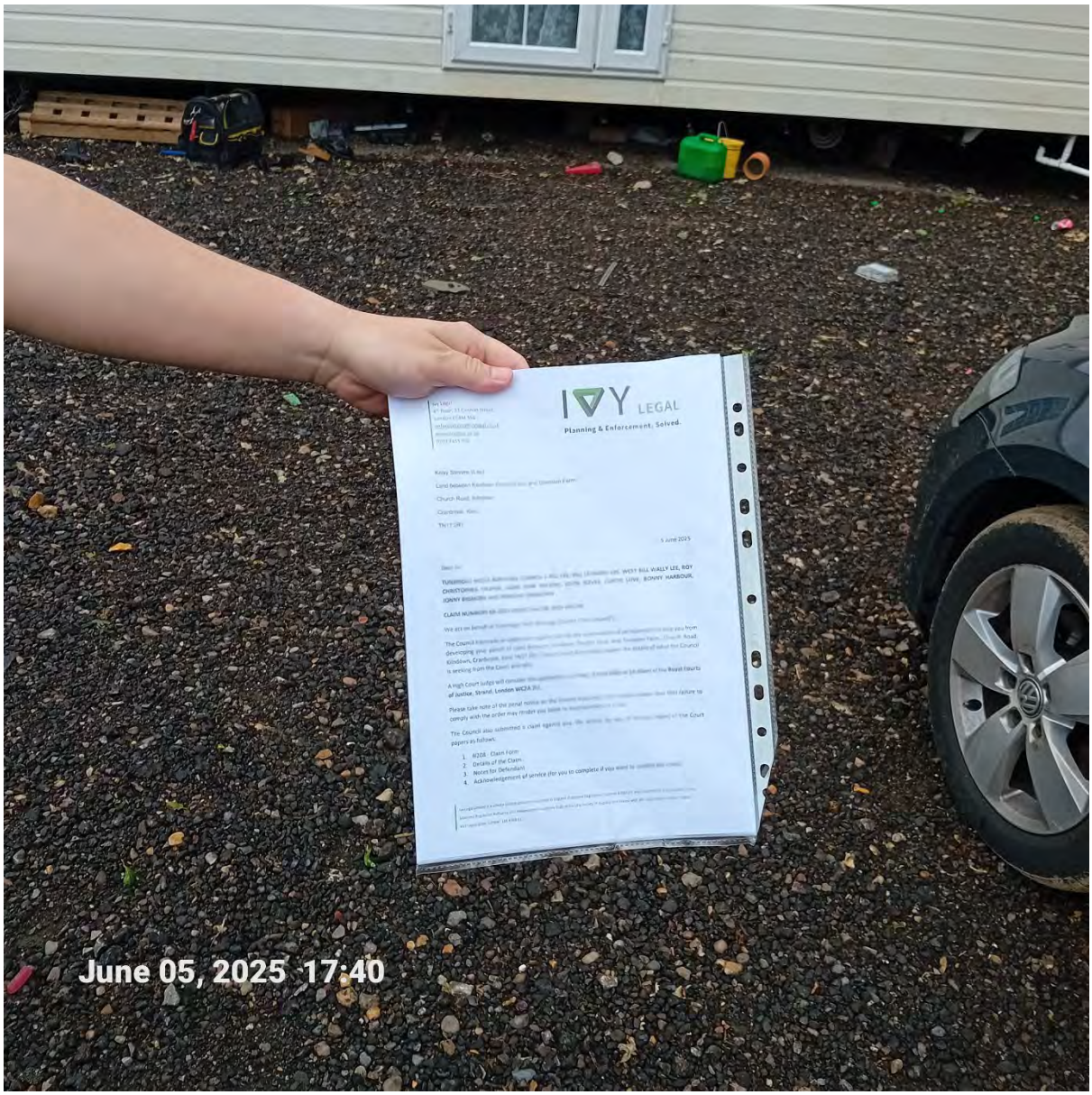


AC/103 Photo of most southern mobile home which is Jonny Bigmore and Bonny Harbour's

AC/104 Touring caravan owned by Keith Jeeves

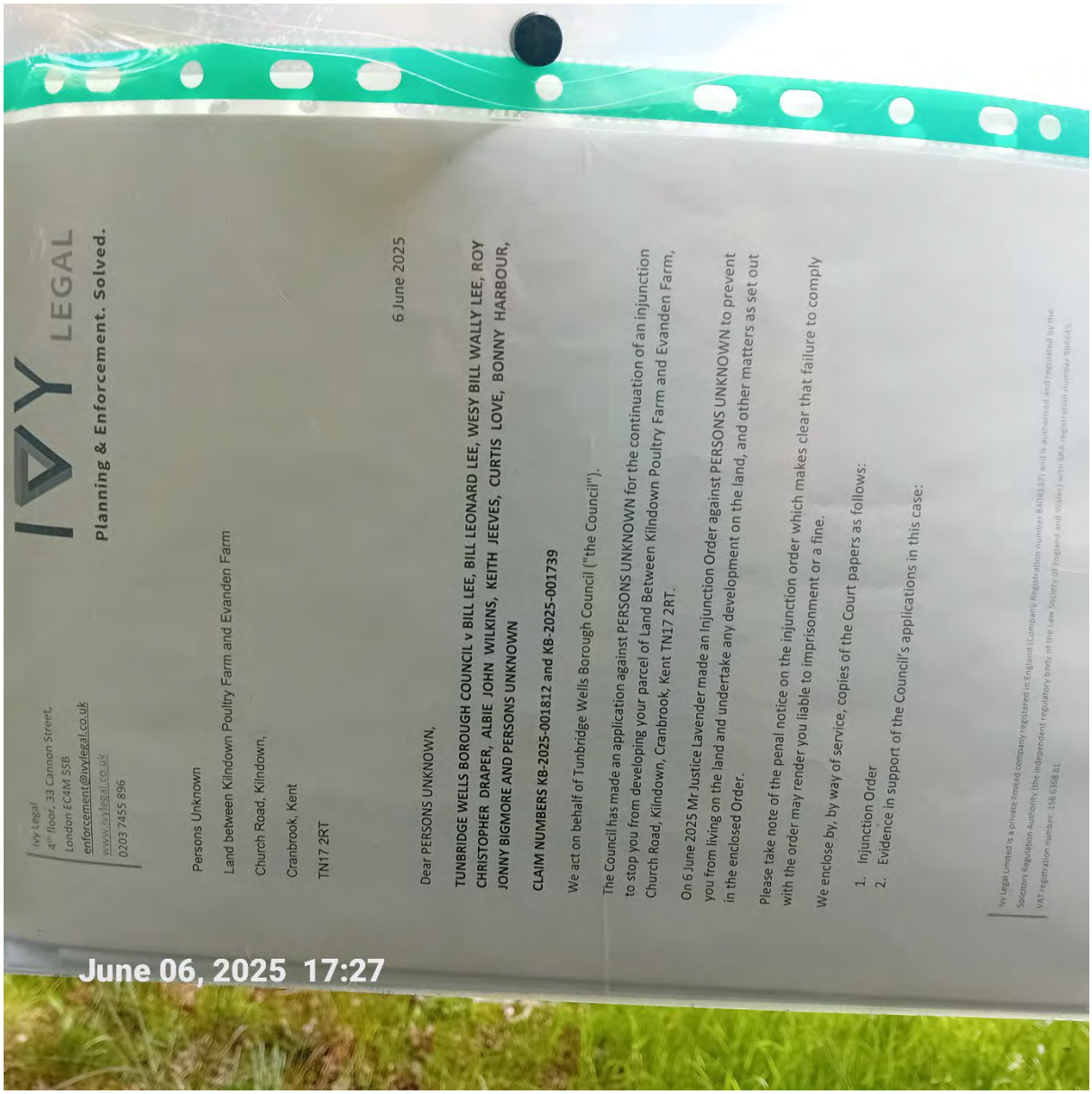
AC/104 Mobile home in north corner of Kieth Jeeves land

AC/105 Court pack addressed to Kelsy Stevens in her hand.



AC/105 Photo showing only 3 court packs left for Jonny Bigmore, Bonny Harbour and Person's Unknown.

AC/107 Close up of Sealed Injunction Order and covering letter to Persons unknown.



Ivy Legal
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www.ivylegal.co.uk
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IVY LEGAL

Planning & Enforcement. Solved.

Persons Unknown

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

6 June 2025

Dear PERSONS UNKNOWN,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

We act on behalf of Tunbridge Wells Borough Council ("the Council").

The Council has made an application against PERSONS UNKNOWN for the continuation of an injunction to stop you from developing your parcel of Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent TN17 2RT.

On 6 June 2025 Mr Justice Lavender made an Injunction Order against PERSONS UNKNOWN to prevent you from living on the land and undertake any development on the land, and other matters as set out in the enclosed Order.

Please take note of the penal notice on the injunction order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

We enclose by, by way of service, copies of the Court papers as follows:

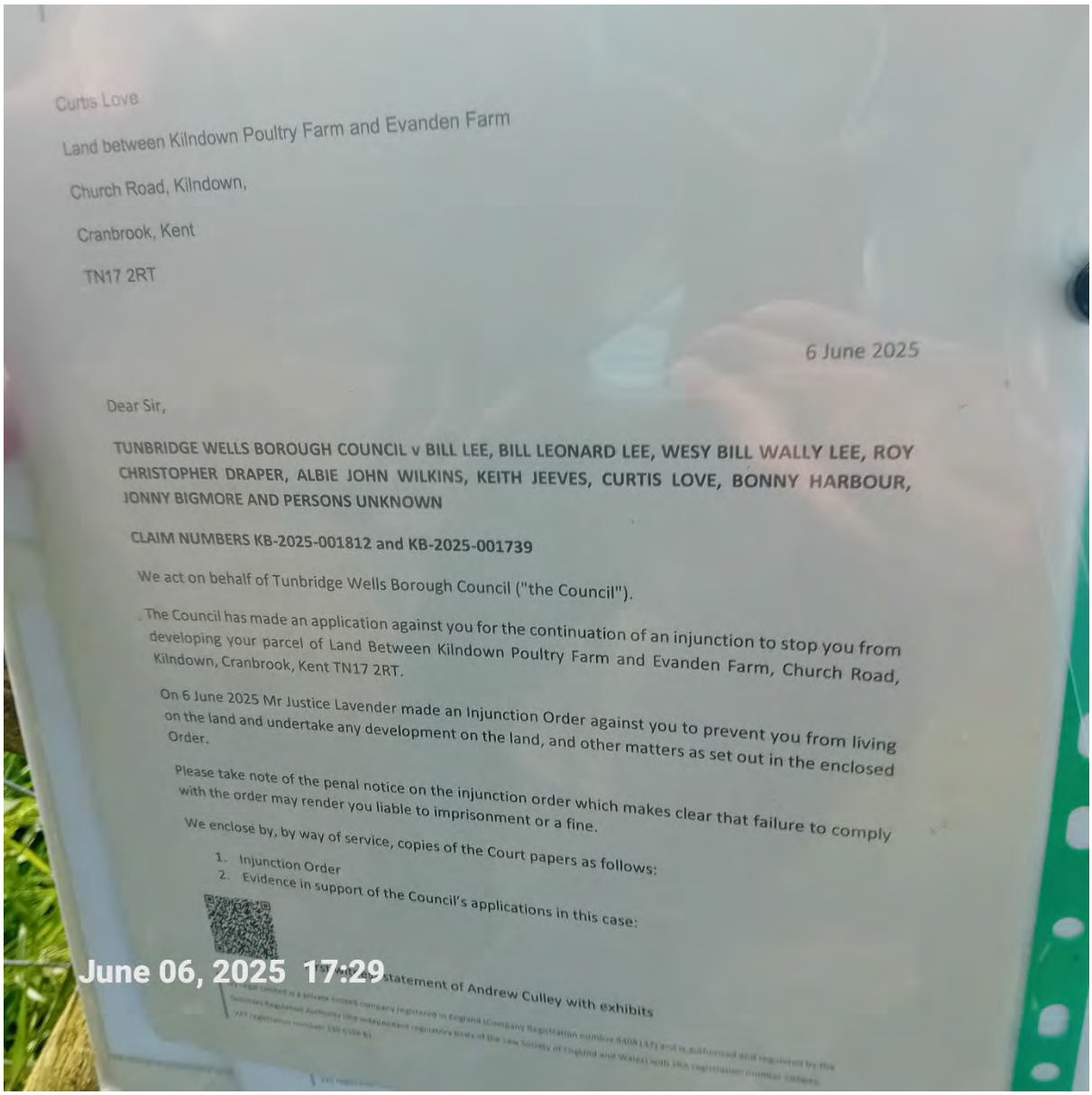
1. Injunction Order
2. Evidence in support of the Council's applications in this case:

Ivy Legal Limited is a private limited company registered in England (Company Registration number 8408337) and is authorised and regulated by the Solicitors Regulation Authority (the independent regulatory body of the Law Society of England and Wales) with SRA registration number 586645.
VAT registration number: 156 6368 81.

June 06, 2025 17:27

AC/108 Distance photo of Sealed Injunction Order and covering letter to Persons unknown on Northern field.

AC/109 Close up of Sealed Injunction Order and covering letter to Curtis Love.



Curtis Love

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

6 June 2025

Dear Sir,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

We act on behalf of Tunbridge Wells Borough Council ("the Council").

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On 6 June 2025 Mr Justice Lavender made an Injunction Order against you to prevent you from living on the land and undertake any development on the land, and other matters as set out in the enclosed Order.

Please take note of the penal notice on the injunction order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

We enclose by, by way of service, copies of the Court papers as follows:

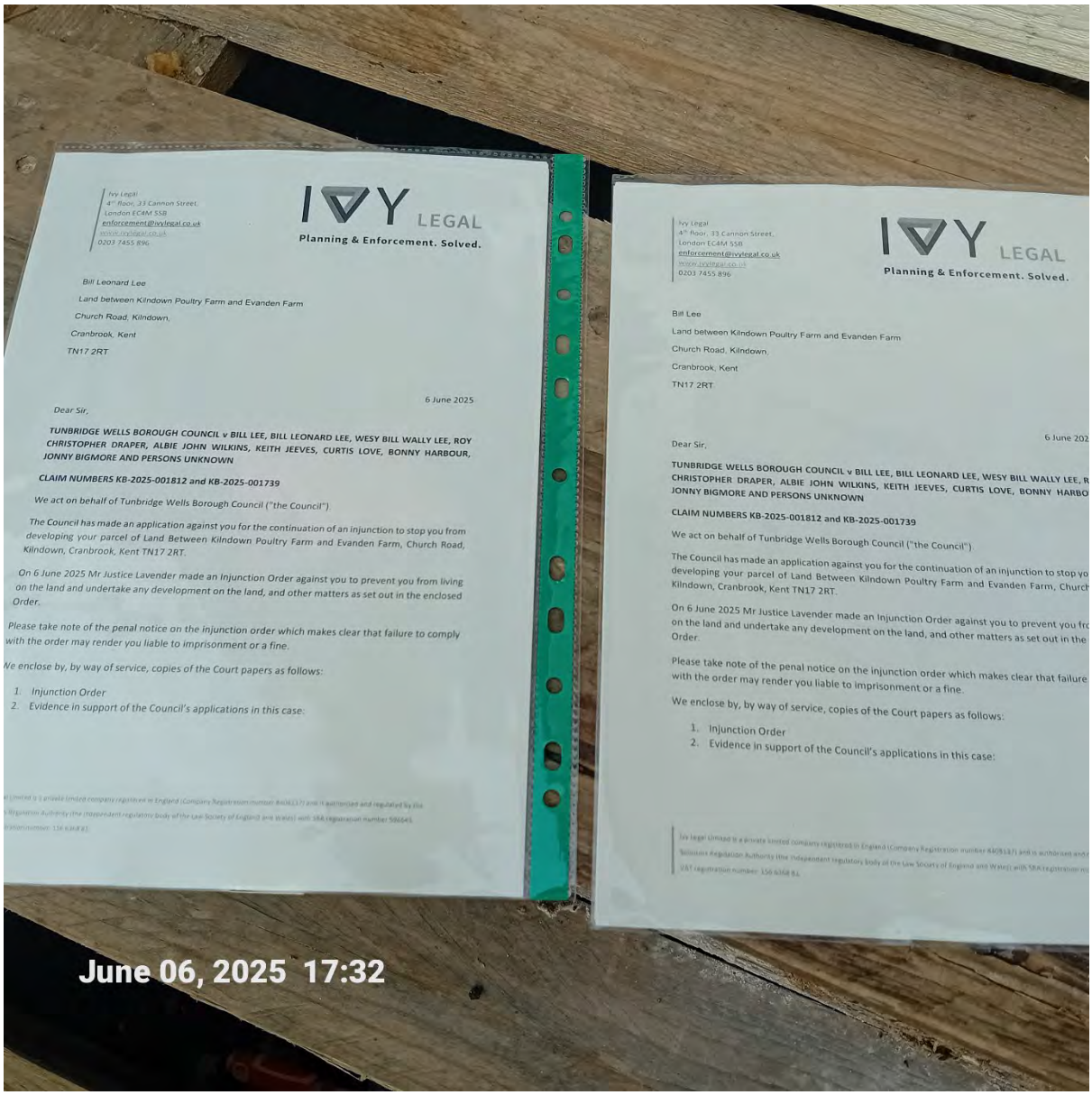
1. Injunction Order
2. Evidence in support of the Council's applications in this case:

June 06, 2025 17:29

statement of Andrew Culley with exhibits

AC/110 Distance photo of Sealed Injunction Order and covering letter to Curtis Love.

AC/111 Close up of Court Injunction Order's for Bill Lee and Bill Leonard Lee



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4th floor, 33 Cannon Street,
London EC4M 5SB
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www.ivylegal.co.uk
0203 7455 896

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Planning & Enforcement. Solved.

Bill Leonard Lee
Land between Kilndown Poultry Farm and Evanden Farm
Church Road, Kilndown,
Cranbrook, Kent
TN17 2RT

6 June 2025

Dear Sir,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

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Please take note of the penal notice on the injunction order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

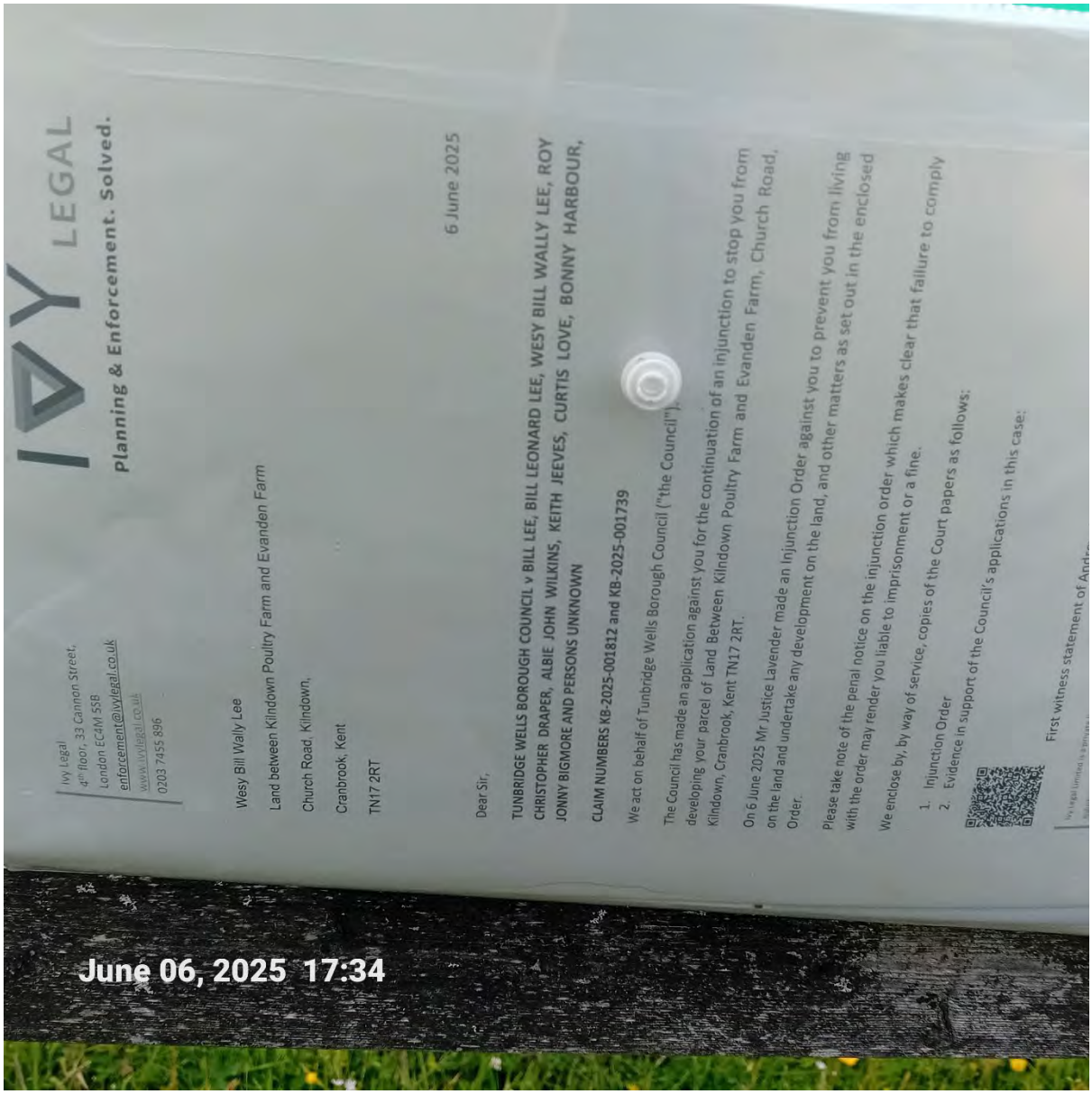
We enclose by, by way of service, copies of the Court papers as follows:

1. Injunction Order
2. Evidence in support of the Council's applications in this case:

June 06, 2025 17:32

AC/112 Distance photo on steps of Court Injunction Order's for Bill Lee and Bill Leonard Lee

AC/113 Close up of Sealed Court Injunction Order and letter to Wesy Lee



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4th floor, 33 Cannon Street,
London EC4M 5SB
enforcement@ivylegal.co.uk
www.ivylegal.co.uk
0203 7455 896

IVY LEGAL
Planning & Enforcement. Solved.

Wesy Bill Wally Lee

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

6 June 2025

Dear Sir,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

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Please take note of the penal notice on the injunction order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

We enclose by, by way of service, copies of the Court papers as follows:

1. Injunction Order
2. Evidence in support of the Court papers as follows:

First witness statement of Andr

June 06, 2025 17:34

AC/114 Distance photo of Sealed Injunction Order to Wesy Lee on his land.

AC/115 Close up of Sealed Injunction Order and covering Letter to Jonny Bigmore.

Ivy Legal
4th floor, 33 Cannon Street,
London EC4M 5SB
enforcement@ivylegal.co.uk
www.ivylegal.co.uk
0203 7455 896

IVY LEGAL
Planning & Enforcement. Solved.

Jonny Bigmore

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

4 June 2025

Dear Sir,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

We act on behalf of Tunbridge Wells Borough Council ("the Council").

The Council has made an application against you for the continuation of an injunction to stop you from developing your parcel of Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent TN17 2RT.

On 6 June 2025 Mr Justice Lavender made an Injunction Order against you to prevent you from living on the land and undertake any development on the land, and other matters as set out in the enclosed Order.

Please take note of the penal notice on the injunction order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

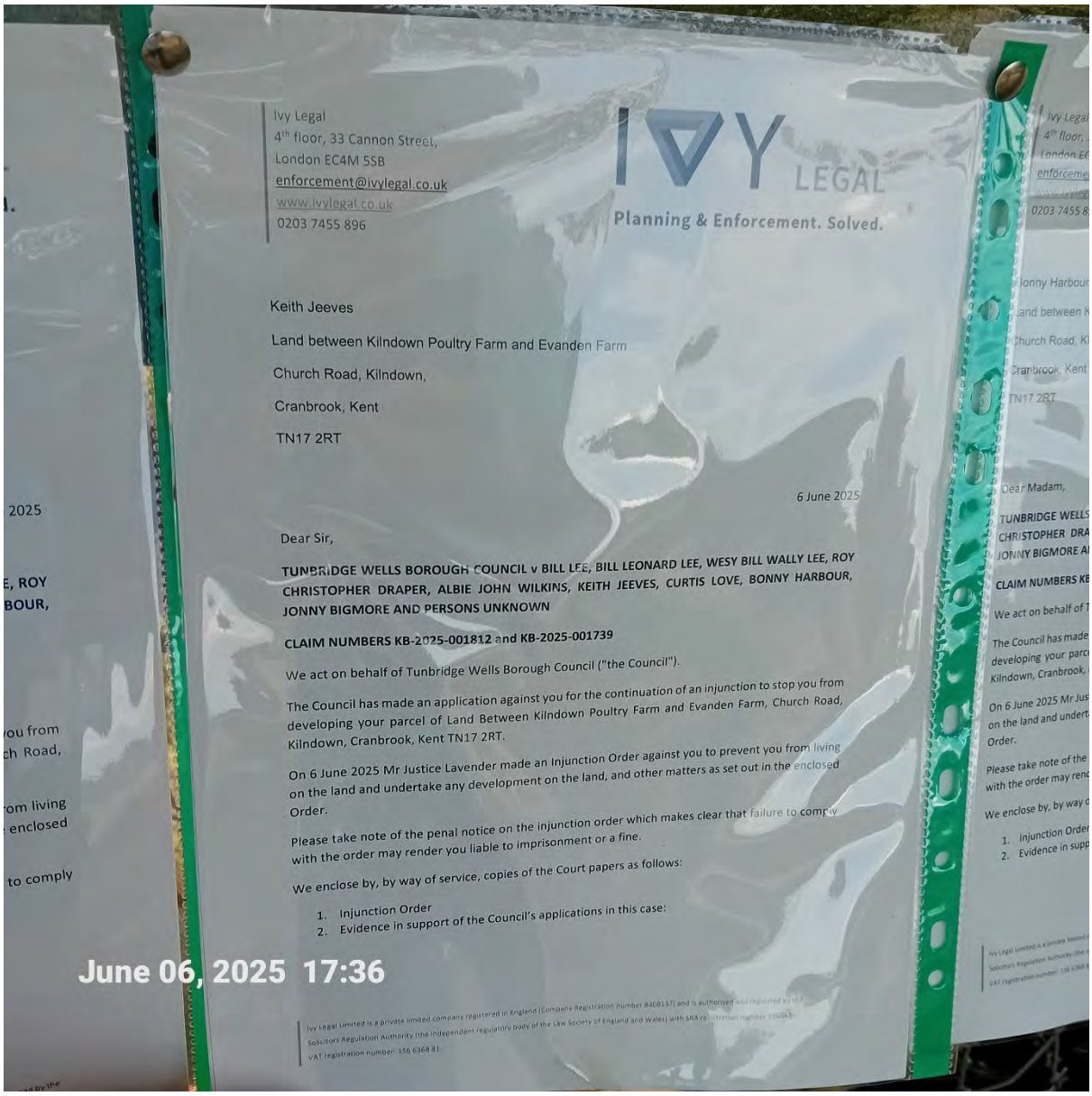
We enclose by, by way of service, copies of the Court papers as follows:

1. Injunction Order
2. Evidence in support of the Council's applications in this case:

First witness statement of Andrew Culley with exhibits

June 06, 2025 17:36

AC/116 Close up of Sealed Injunction Order and covering Letter to Keith Jeeves.



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Keith Jeeves

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

6 June 2025

Dear Sir,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

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2. Evidence in support of the Council's applications in this case:

June 06, 2025 17:36

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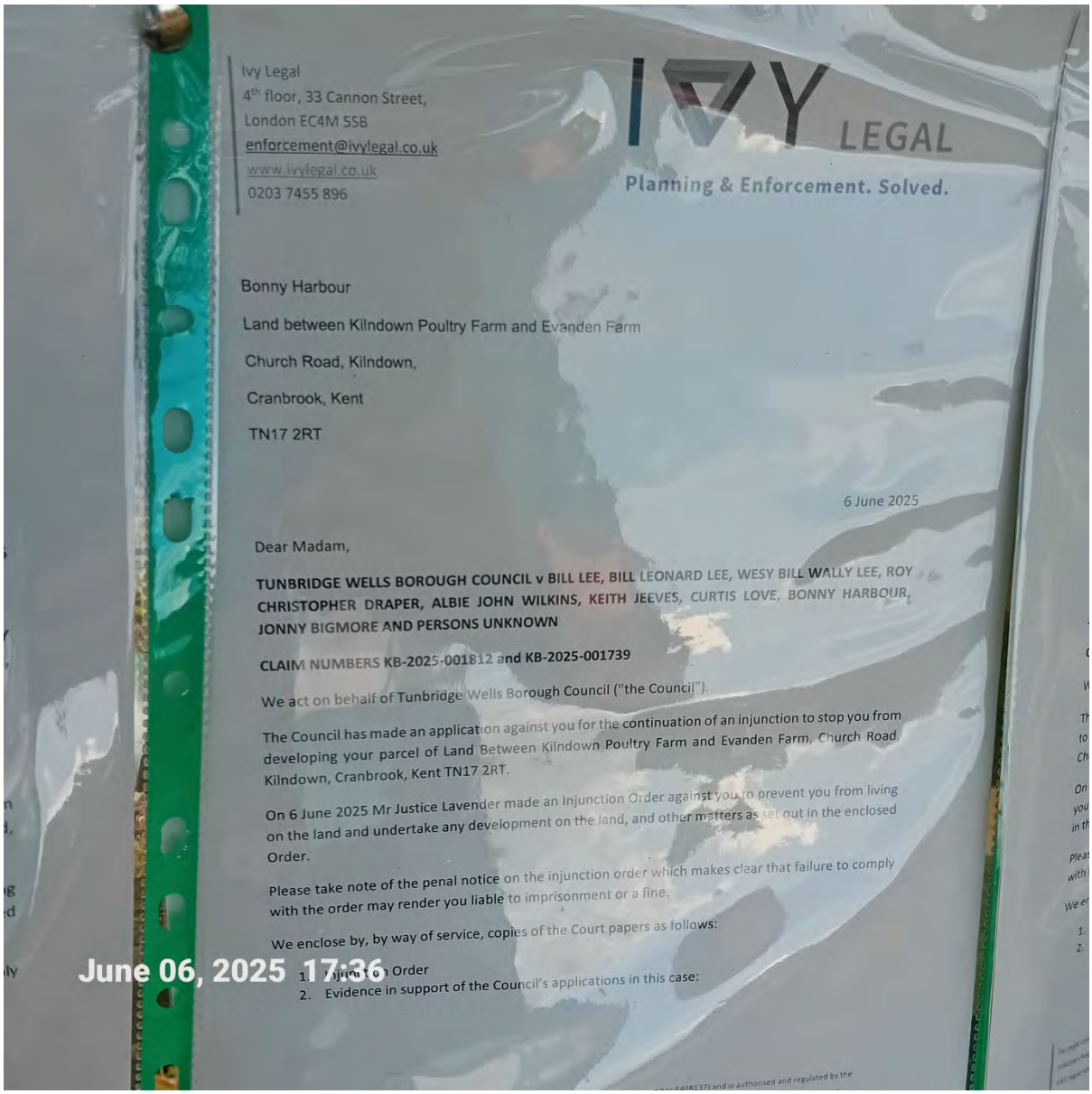
AC/117 Close up of Sealed Injunction Order and covering Letter to Bonny Harbour



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Bonny Harbour

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

6 June 2025

Dear Madam,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

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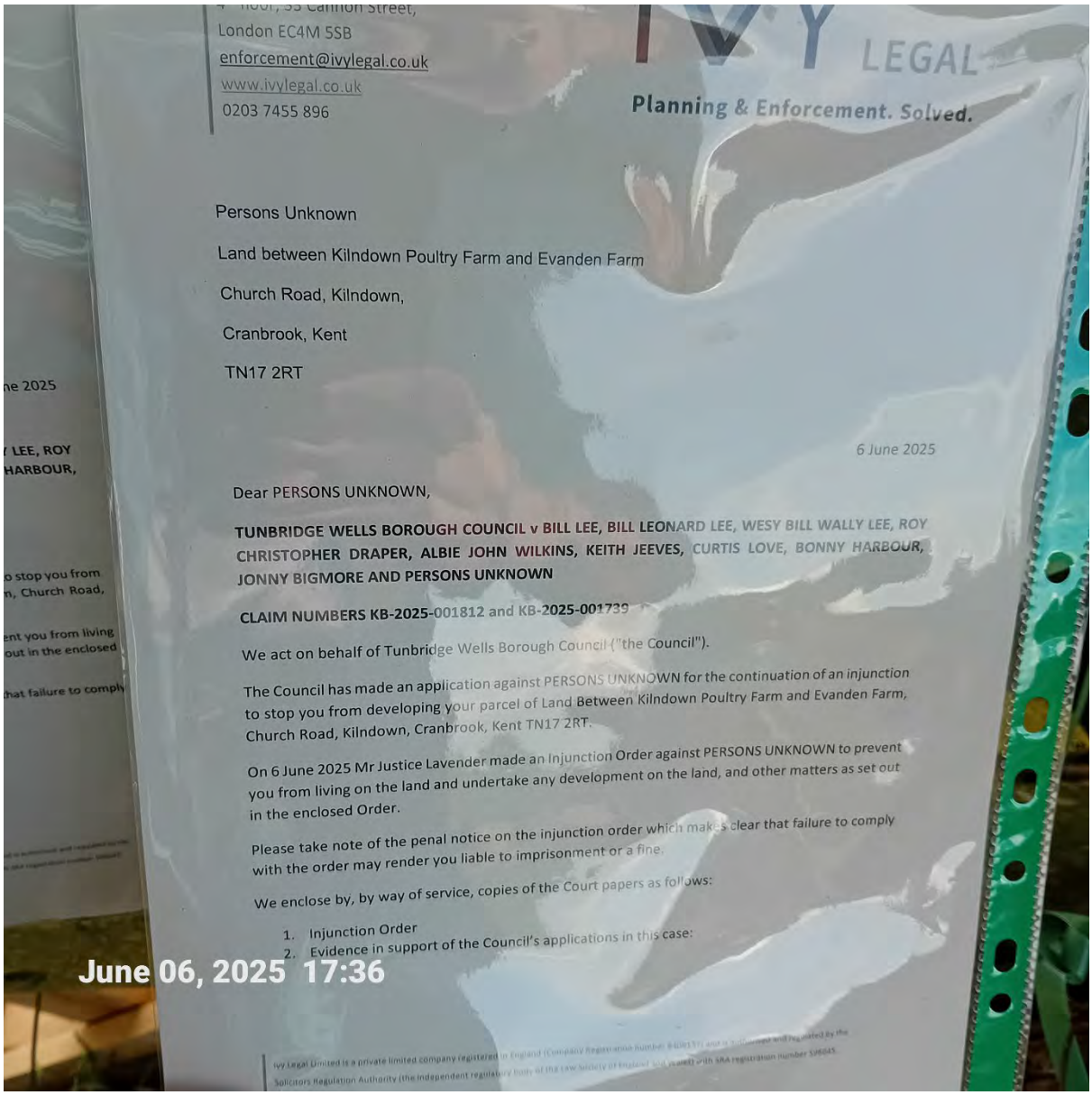
1. Injunction Order
2. Evidence in support of the Council's applications in this case:

June 06, 2025 17:36

AC/118 Close up of Sealed Injunction Order and covering Letter to Persons Unknown



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Persons Unknown

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

6 June 2025

Dear PERSONS UNKNOWN,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

We act on behalf of Tunbridge Wells Borough Council ("the Council").

The Council has made an application against PERSONS UNKNOWN for the continuation of an injunction to stop you from developing your parcel of Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent TN17 2RT.

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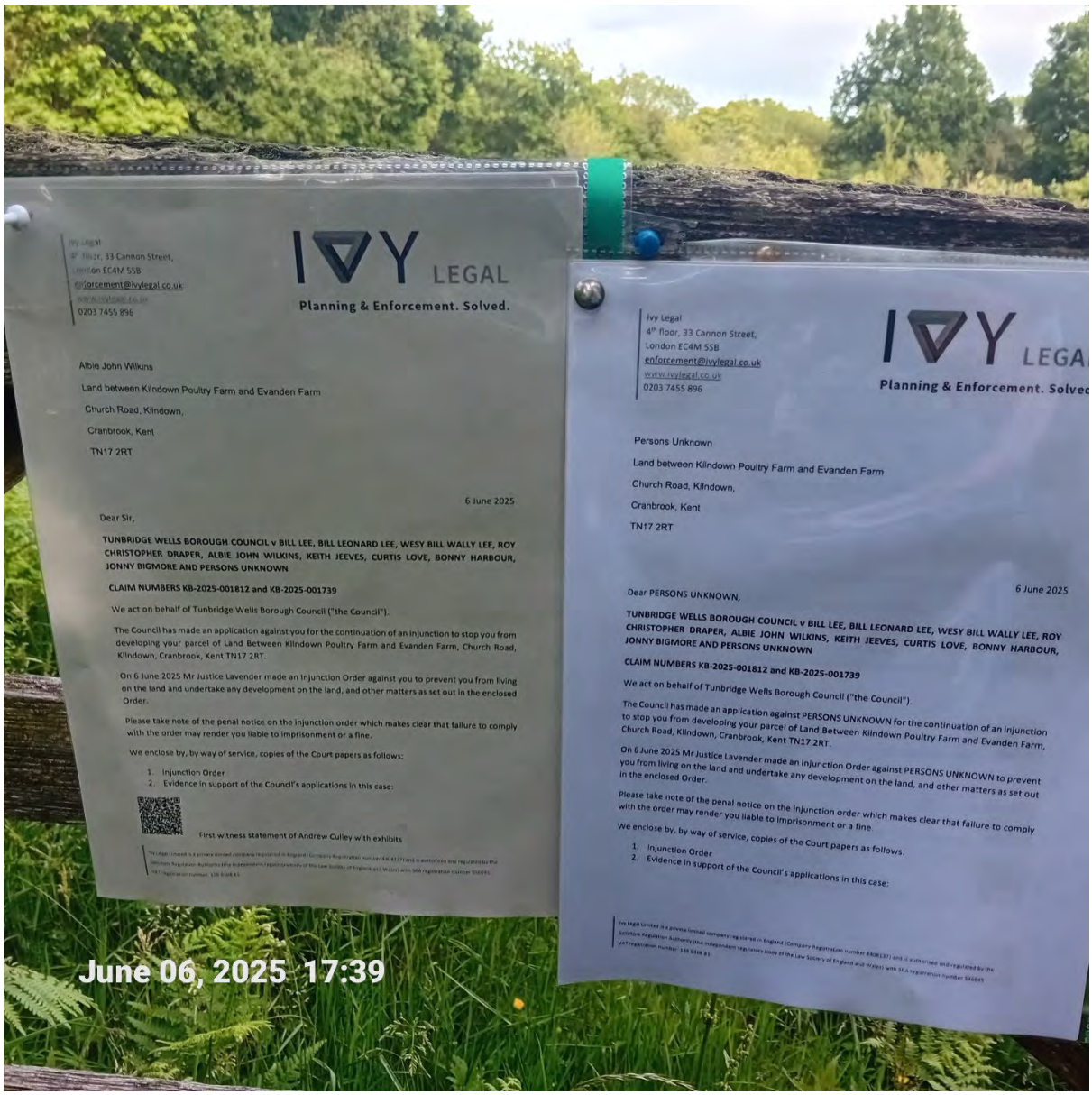
1. Injunction Order
2. Evidence in support of the Council's applications in this case:

June 06, 2025 17:36

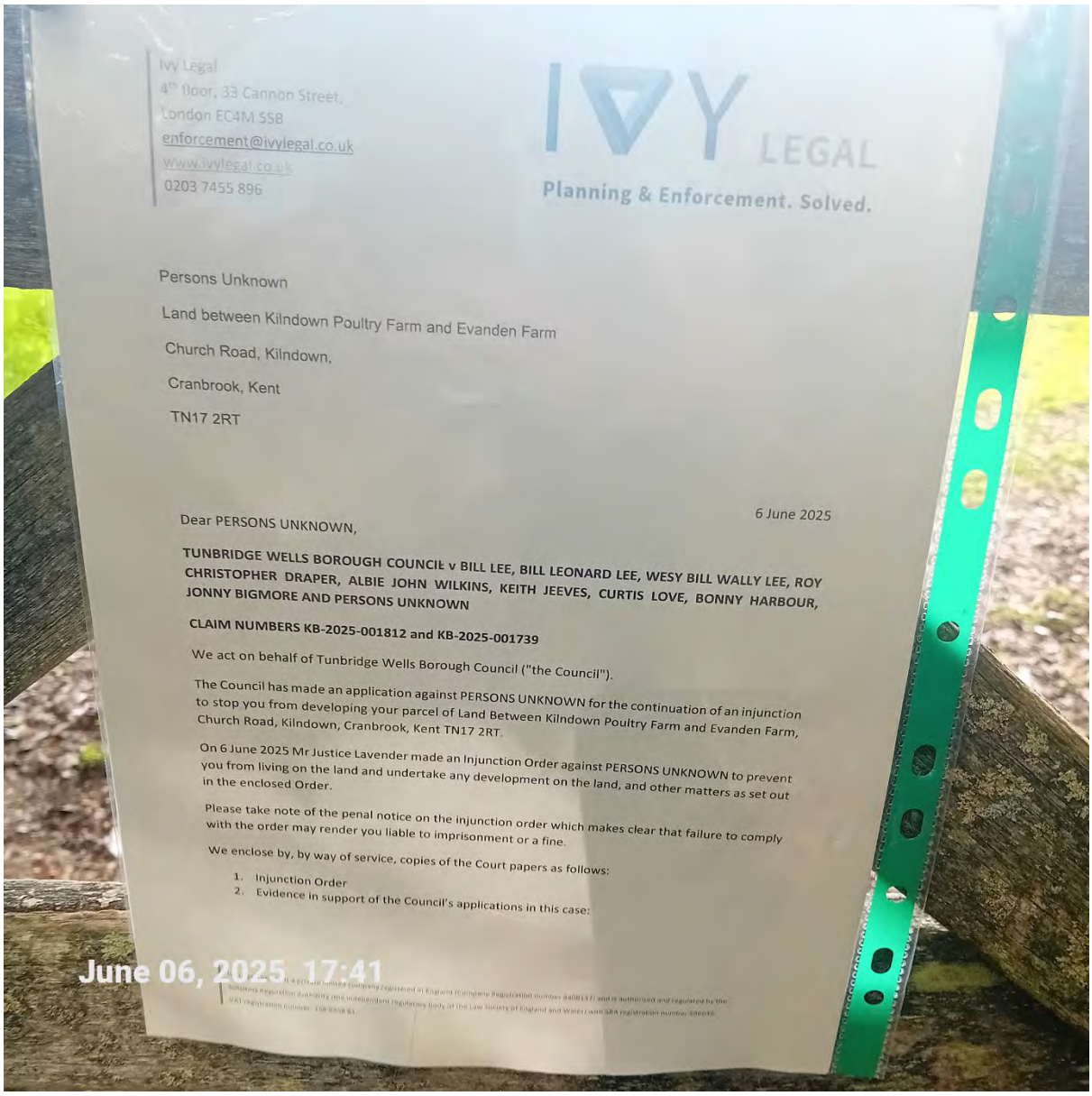
AC/119 Distance photo of the 4 packs with Sealed Injunctions and letters addressed to Keith Jeeves, Jonny Bigmore, Bonny Harbour and Person Unknown on the fence of Keith Jeeves land.

AC/120 Close up of Sealed Injunction Order with covering letters to Albie Wilkins and Persons Unknown.



AC/121 Distance photo of Sealed Injunction Order with covering letters to Albie Wilkins and Persons Unknown on gate to Albie Wilkins land.

AC/122 Close up of Sealed Court Injunction and covering letter to Persons Unknown.



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Persons Unknown

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

6 June 2025

Dear PERSONS UNKNOWN,

TUNBRIDGE WELLS BOROUGH COUNCIL v BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS, KEITH JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

CLAIM NUMBERS KB-2025-001812 and KB-2025-001739

We act on behalf of Tunbridge Wells Borough Council ("the Council").

The Council has made an application against PERSONS UNKNOWN for the continuation of an injunction to stop you from developing your parcel of Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent TN17 2RT.

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Please take note of the penal notice on the injunction order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

We enclose by, by way of service, copies of the Court papers as follows:

1. Injunction Order
2. Evidence in support of the Council's applications in this case:

June 06, 2025 17:41

AC/124 Distance photo of Sealed Court Injunction and covering letter to Persons Unknown on south field entrance gate.

Statement on behalf of the Claimant
Witness: Andrew Culley
6th Statement
Dated: 21/05/2026
Exhibits: AC/125 to AC/172

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-001812
Matter No. KB-2025-001739

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

SIXTH WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness

statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. I make this further witness statement in support of the Claimant's application to continue/vary the injunction granted by Mr Justice Lavender on 6th June 2025 and I attach an exhibit of the court bundle for that hearing as AC125.

3. This witness statement refers to Land know as " LAND BETWEEN KILNDOWN POULTRY FARM AND EVANDEN FARM, CHURCH ROAD, KILNDOWN, CRANBROOK, KENT" ("the Land") which has been split into 6 parcels of land and is shown edged in red on the attached plan (highlighting each title plot number as registered with HM Land Registry (and a legend showing which plot is linked to each defendant) which I **Exhibit as AC/126**. As of the 18th May 2026 HM Land Registry has the owners of the land for each title as follows:

   TT171000 (plot 1) (08.08.2024) PROPRIETOR: CURTIS LOVE of The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE. A copy of the register is attached as exhibit **AC/127.**
   TT171902 (plot 2) (06.09.2024) PROPRIETOR: ROY CHRISTOPHER DRAPER of Hill View, Meadow Lane, Runwell, Wickford SS11 7DX. (Applications pending) A copy of the register is attached as exhibit **AC/128.**
   TT171996 (Plot 3) (09.09.2024) PROPRIETOR: WESY BILL WALLY LEE of Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU. A copy of the register is attached as exhibit **AC/129.**
   TT171757 (Plot 4) (03.09.2024) PROPRIETOR: KEITH JEEVES of 22 Hibbs Close, Swanley BR8 7FA. A copy of the register is attached as exhibit **AC/130.**
   TT173927 (Plot 5) (06.11.2024) PROPRIETOR: ALBIE JOHN WILKINS of Hawksbill, Morley Lane, Bicker, Boston PE20 3DP. A copy of the register is attached as exhibit **AC/131.**
   TT173872 (Plot 6) (05.11.2024) PROPRIETOR: BILL LEE and BILL LEONARD LEE of Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU. A copy of the register is attached as exhibit **AC/132.**

4. The background to this claim is set out in my First, Second, Third, Fourth and Fifth Witness statements. In short, the Council applied for an interim injunction without notice on 16th May 2025 against all land that was formerly within the ownership of Mr Larter, against whom the Council commenced proceedings but discontinued once up to date ownership was established[1]. The injunction order was granted but insofar as the plots of land transferred to Mr Jeeves (Plot 4) and Mr Love (Plot 1) were concerned, the court was not satisfied on 16th

[1] By the return date, further information had come to light and Mr Larter's solicitors had provided transfer documents demonstrating that all land formerly within his ownership had been transferred save for an access strip.

May that the risk of breaches of planning control had been demonstrated. The return date was fixed as 6th June 2025. However, between the date of obtaining the interim injunction order and the return date, on Friday 30 May 2025 the Council received a report at 9:07am that a caravan was being brought onto land adjacent to land covered by the injunction order but excluded from it, and by the afternoon 2 static caravans and a touring caravan were stationed on the land. The Council obtained a further order that evening, out of hours, which included all 6 parcels of the land shown in previous exhibit **AC/126** with the return date 6th June 2026, on which date an Injunction order was granted for 12 months to cover all 6 of the parcels of land.

Chronology of events since the injunction order of 16th May 2025

5. On the 17th May 2025 I visited the land with JO SMITH, Senior Lawyer (Planning) for Mid Kent Legal Services and HEATHER STEVENS, Team Leader (Contentious). JO SMITH served an enforcement notice on plot 2 BILL LEE which I exhibit a copy as **AC/133.** The enforcement notice had 8 requirements:
   (i) Cease the residential use of the land.
   (ii) Remove all mobile homes, caravans and trailers from the land.
   (iii) Remove all domestic and commercial vehicles from the land.
   (iv) Remove the foul water treatment plant and generator from the land.
   (v) Remove all fencing from the land.
   (vi) Remove all hard standings and hardcore from the land.
   (vii) Remove from the land any resultant materials, rubbish and rubble arising from compliance with steps (i) to (vi) above.
   (viii) Reinstate the land back to its previous condition including infilling the excavation for the foul treatment plant with top soil.
6. JO SMITH also served an enforcement notice on plot 4 KEITH JEEVES which I exhibit a copy as **AC/134** The enforcement notice had 3 requirements
   (i) Permanently cease use of the access point shown in its approximate location marked 'A' on the attached plan for vehicular traffic.
   (ii) Permanently removal all hardcore, wooden posts wire fencing from the access point shown in its approximate location marked 'A' on the attached plan.
   (iii) Permanently close the access shown in its approximate location and reinstate the hedge by planting 3-year-old transplanted seedling of 30cm of Hazel (10%), Hawthorn (70%), Field Maple (10%), Hornbeam (5%) and Dog Rose (5%)in a double staggered, rows at 600mm centres. The individual plants should be supported using a cane and protected with a spiral guard, with the whole of the new hedge being protected by stock fencing to aid establishment and the hedge shall be retained as such. This must

be done during the next planting season. Within three years from the date of planting, and in the event of the any plants failing, the plants will require replacement until successfully established in accordance with BS 8545:2014.

7. On 30th May 2025 the Council received a planning application for plot 4 (reference 25/01299/FULL) with the applicant Ms B Harbour and was for (Part-retrospective) Change of use of land for the stationing of 3no. static caravans and 2no. touring caravans with ancillary works for Gypsy / Traveller occupation. This application never passed the validation stage and on the 12 September 2025 its status changed to 'Not proceeded with, Application returned' I exhibit a copy of the email sent to the agent STUART CARRUTHERS as **AC/135.**

8. On the 2nd June 2025 the Council received a letter from the Planning Inspectorate that an appeal had been received in relation to enforcement notice issued on 16th May 2025 and the refused planning application 25/00511/FULL referred to in my first witness statement dated 15th May 2025 (to which Mr K JEEVES was the applicant, the proposal was for Change of use of land to equestrian, construction of stable building for horses together with highway access crossover & access driveway. This application was received by the council on 28th February and refused on the 1st May 2025.) which all related to plot 4. I exhibit a copy of the refused planning decision for application 25/00511/FULL as **AC/136.** The enforcement notice as shown in exhibit **AC/134.**

9. On the 6th June 2025 a planning application (25/01360/FULL) was received for plot 2, the applicant was Mr B LEE, which proposed "(Retrospective) Change of use of land for the siting of a mobile home, touring caravan & outbuilding with erection of fence & gate for Gypsy / Traveller occupation" which was refused on the 12 August 2025 I exhibit a copy of the refusal as **AC/137** for the following reasons:

   (1) The development is located in an unsustainable location outside the Limits to Built Development and causes significant harm to the rural character, openness, and appearance of the countryside and has more than a minimal impact on the landscape character due to its siting and appearance. The proposal therefore fails to conserve and enhance the landscape and scenic beauty of the High Weald National Landscape. The development also results in an unsympathetic change to the character of the Rural Lane, and by virtue of its siting represents inappropriate agricultural land management. The pitch would also not be physically contained against unauthorised extension. The proposal is therefore contrary to paragraphs 110, 115, 187 and 189 of the National Planning Policy Framework 2024, Paragraphs 26 and 27 of the Planning Policy for Traveller Sites 2024, Policies LBD1, EN1, EN25, and H4 of the Tunbridge Wells Borough

Local Plan 2006, Core Policies 4, 5, and 14 of the Tunbridge Wells Borough Core Strategy 2010, Policies L1, L4, D1, and D2 of the Goudhurst Neighbourhood Development Plan 2022, and emerging Policies STR1, STR8, EN1, EN4, EN18, EN19, and H9 of the Tunbridge Wells Borough Submission Local Plan 2021. The proposal also conflicts with the objectives of the Tunbridge Wells Borough Landscape Character Assessment, the High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029 and associated guidance, and the Tunbridge Wells Borough Rural Lanes Supplementary Planning Document.

(2) The development would cause less than substantial harm (lower end) to the Evanden Farm Historic Farmstead due to the change of use and character of the site from its historical agricultural use and by virtue of the separation of the 'blue line' land from the wider field. No information has been provided on the heritage impact of the proposal, and whether the proposal has had regard to its historical setting. The proposal therefore fails to accord with paragraphs 207 and 216 of the National Planning Policy Framework 2024, Core Policy 4 of the Tunbridge Wells Borough Core Strategy 2010, Policy L4 of the Goudhurst Neighbourhood Development Plan 2022, emerging Policies STR8, EN4, and EN5 of the Tunbridge Wells Borough Submission Local Plan 2021, and the Tunbridge Wells Borough Farmsteads Assessment Guidance Supplementary Planning Document.

(3) Insufficient information has been submitted to adequately demonstrate that the proposed development could be achieved without a detrimental impact upon the biodiversity of the site, including protected species. No ecological assessments, surveys, nor biodiversity net gain calculation have been submitted and therefore it is not possible to assess the impact of development and whether it would result in harm to a species or its habitat or achieve net gain. There are no exceptional circumstances considered to apply. The proposal is therefore contrary to paragraphs 187, 189, and 193 of the National Planning Policy Framework 2024, National Planning Practice Guidance and Circular 06/2005, Policy EN1 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4, 5, and 14 of the Tunbridge Wells Borough Core Strategy 2010, Policy L6 of the Goudhurst Neighbourhood Development Plan 2021, and emerging Policies EN1, EN9, and EN10 of the Tunbridge Wells Borough Submission Local Plan 2021.

10. On the 15th June 2025 a local resident sent an email to advise that one of the static caravans had been removed from the land under title TT171757 (Plot 4).

11. On the 17th June 2025 the Council received a letter from the Planning Inspectorate that an appeal under ground (a) - Section 174(2)(a) of the Town and Country Planning Act 1990 - That planning permission should be granted for what is alleged in the notice, had been received for the enforcement notice issued on 16th May 2025 which related to plot 2. I exhibit

a copy of the enforcement notice already exhibited as **AC/133** At the time of this statement The Planning Inspectorate has not made their decision whether the appeal should be dismissed and the enforcement notice upheld, or if the enforcement notice should be quashed and planning permission granted for the Change of use of land for the siting of a mobile home, touring caravan & outbuilding with erection of fence & gate for Gypsy / Traveller occupation.

12. On 14th July 2026 I received an email from a resident of Kilndown with a screenshot from Facebook of the land on plot 2 being advertised for sale including the mobile home and generator and advising that planning permission in relation to the mobile home had been applied for and 1 tourer and a day room. I exhibit the Facebook post as **AC/138.**

13. On the 2nd September 2025, when visiting the land at Kilndown to ensure that copies of the Injunction Order were still on the land (which is done periodically), I noticed that the mobile home on Plot 2 was no longer being occupied and all the furniture had been removed from inside. I exhibit photographs **AC/139 to AC/141**. Also on plot 4 the touring caravan was no longer on the land, and there were no vehicles. I then noticed that they had been concealing a wastewater treatment unit which now had rubber matting and a tarpaulin placed over the top of it. I exhibit a photo as **AC/142.**

14. On the 3 September 2025 I was made aware of a Facebook post on a group called 'Kent Land For Sale Or Rent' by Wesy Lee showing he was advertising plot 3 for sale as 2 separate plots. I exhibit a screen shot of the post as **AC/143.**

15. On the 9th September 2025 we received a complaint that plot 6 was being used for equine use. After investigation it was determined that it was not a change of use as it was being used for grazing.

16. On the 10th October 2026, I visited the land as the Planning inspector appointed by the Secretary of State to determine the appeal relating to plot 4 was undertaking a site visit. On this visit copies of the Injunctions were still displayed on the different plots, and I could also see that the mobile home on plot 2 was still empty.

17. On the 24th October 2025, Mark Harbottle the appointed inspector by the Secretary of State, gave his decision, which was to dismiss all of the appeals, and varied the notice in section 6 to allow for the correct time of year for the planting of the hedgerow. I exhibit a copy of the decision as **AC/144.**

18. On the 10 December 2025 a new Local plan was adopted by the council, which continues to support that this area of land needs to be protected from development, both authorised and unauthorised. The policies of the Local Plan which apply are:

STR 1 The Development Strategy
STR 2 Place Shaping and Design
STR 4: Ensuring Comprehensive Development
STR6: Transport and Parking
STR 7 Climate Change
STR8 Conserving and Enhancing the Natural, Built, and Historic Environment
STR10 Neighbourhood Plans
PSTR/GO1 The Strategy for Goudhurst Parish
EN1 Sustainable Design
EN2 Sustainable Design Standards
EN3 Climate Change Mitigation and Adaption
EN4 Historic Environment, Including Heritage Assets
EN8 Outdoor Lighting and Dark Skies
EN9 Biodiversity Net Gain
EN10 Protection of Designated Sites and Habitats
EN12 Trees, Woodland, Hedges and Development
EN18 Rural Landscape
EN19 The High Weald Area of Outstanding Natural Beauty
EN20 Agricultural Land
EN24 Water Supply, Quality, and Conservation
EN25 Flood Risk
EN26 Sustainable Drainage
H9 Gypsies and Travellers
TP2 Transport Design and Accessibility
TP3: Parking Standards
TP6 Safeguarding Roads

19. On the 17th March 2025 I visited the land, I put up new copies of the Injunctions as some had pages removed. The mobile home on plot 2 was still empty and a fence panel was broken as was the wooden gate. I exhibit photographs **AC/145 to AC/147.** On plot 4 the mobile home was still on the land along with a shed and other residential paraphernalia. A horse was also back in the field. Condition (ii) of the Enforcement notice had still not been complied with and the compliance date had passed. Condition (iii) also has not been complied with but the compliance date has not yet been reached. I exhibit photos **AC/148 to AC/156.**

20. On the 27th April 2026 I called KEITH JEEVES and left a voicemail as there was no answer, he then called me back. I asked him when he would be removing the mobile home, shed and complying with the Enforcement Notice as it was overdue. He replied saying he had not heard anything about the appeal having been decided. I advised that the Planning Inspectorate would have informed his agent directly of the decision. I advised him that along with the enforcement notice being complied with, that the mobile home needs to be removed and the shed. He asked for 8 weeks to remove the mobile home. I said that I would have to issue an Enforcement Notice for the removal of the mobile home and the shed. With that his voice changed to an aggressive tone saying "Do what you want to do, first time I've been told about the outcome, if you don't give me time, I will be spiteful and dump lorry loads of rubbish on the land". He then ended the call. I shortly got a call back from KEITH JEEVES to advise me that he hopes to have the mobile home removed in 8 weeks. He then asked what is happening with the application he has made. I advised him that there is no planning application for him awaiting a decision. He said he keeps asking his agent every week what is happening and being told he should hear shortly. I checked the system again and advised that there were no applications in his name for a mobile home. He said Stuart was meant to put it in his name from Bonny's as she had pulled out when the Council got the injunction. I advised again that there were no pending planning applications. He said that an application for just one mobile home, touring caravan and possibly a day room should have been submitted, and he had been trying to call Stuart but got no answer. He said that he would get in his car and drive to his house and throttle him and he ended the call. Shortly later about 17:55 I got another call from KEITH JEEVES. He said Stuart had called him back and said that he would call me to sort this out. He also advised that he had put the mobile home up for sale and hoped to get an answer and for it to be removed within 14 days. He said that this has cost him a lot of money and that he had only done what his agent had said which was to put the caravans straight on the land and they would get permission as Kent has lowered its requirements, and he had been told that you can get permission for gypsy sites on any land now. I told KEITH JEEVES that it would be very unlikely as the land is highly protected.

21. On 28th April 2026 I got a call from KEITH JEEVES asking if STUART CARRUTHERS had called me, I advised that I had been in meetings all morning. He asked if I could call him once 'stupid Stuart' had called me. KEITH went on to say that he had spoken to Clive Emson auctioneers and that they had valued the land at £85,000 and that was a huge loss as he had paid £138,000 for the land, so he might try to split it into 3 parcels to get more money.

22. On 28th April I received a call from STUART CARRUTHERS. He started by saying that the Council had not sorted the validation of the application correctly which was in BONNY HARBOUR's name, and he had sent in all the correct paperwork. I advised that I don't deal in validation so couldn't comment other than I could see an email advising that the application

had been marked 'Not Proceed with' and that a refund had been authorised minus admin fees. STUART went on to say that he hadn't received the refund but that was most likely a planning portal issue, and that he would be putting in a new application next week for a gypsy traveller pitch.

23. I called KEITH JEEVES and advised him that I had spoken to his agent STUART CARRUTHERS and that he had advised that he would be submitting an application. KEITH told me that he had sold the mobile home and that it would be going within 14 days and that he would be going over to the land tomorrow to remove the shed.

24. On the 30th April in the morning, I received a call from KEITH JEEVES he said that the caravan should be going on 18th May, I asked when he would be doing the rest of the work to the land to comply with the enforcement notice. I also said about removing the foul water tank from the ground. He replied "you have to give at least 8 weeks and that every time I just kept asking for more and it makes me not want to do it".

25. On the 30th April at approximately 12:00 hours I served an enforcement notice on the Land (plot 4) I exhibit a copy of the enforcement notice with its map as **AC/157.** The shed which KEITH JEEVES had said he was removing was still there, I exhibit photographs of Plot 4 as **AC/158 to AC/165** which also show the enforcement notice has not been complied with. I also took photographs of the neighbouring plots, the track down from plot 2 and along plot 3 had some block paving bricks placed in the mud ruts. I exhibit these photographs as **AC/166 to AC/172.**

26. On the 1st May 2026 I called KEITH JEEVES and advised him that I had issued the Enforcement Notice on the land the day before. KEITH's voice wasn't happy and he said "do what you want you have made my land worthless, I told you the mobile was going on the 18th and don't send the letter to my sister's house she has enough to worry about". I advised him that it was sent yesterday and correspondence gets sent to the address on the land registry file and I offered to email a copy to him. He replied "Don't email me you have already said you have sent it. Makes me not want to comply with any of it. When I'm doing the work I don't want no council busy bods around". He then ended the call.

27. On 15th May 2026 at 10:28, I received a phone call from KEITH JEEVES regarding his plot. He advised that the mobile home and shed were due to be removed on Monday 18th May , with a digger scheduled to attend on Tuesday to carefully remove the waste tank and backfill the hole with soil from around it, he asked if he could put some of the hardcore into the hole, I confirmed it should be soil, the hardcore should be removed. He confirmed as I had said it wasn't to go in the hole he wouldn't and he would document it by video or photos. He further explained that the existing hardcore would be scraped into a pile and removed by grab lorry.

Keith also stated that BONNY HARBOUR would be attending to remove bikes and other miscellaneous items, noting that not all of the rubbish present belongs to them and that some may have been deposited by local individuals. He confirmed that the gates would be removed and that the existing barbed wire stock fencing, previously used to contain horses, would be repositioned across the road to close off access, along with the formation of a slight bank at the entrance to further prevent entry which was how it was before he created the new opening. During the call, Keith queried whether I had spoken with STUART CARRUTHERS in relation to a planning application being submitted, stating that STUART CARRUTHERS had told him that he had received correspondence from the Council confirming all paperwork was in order. I advised that I was only aware of a copy of the recently issued enforcement notice being posted to him and that applications and related queries are not dealt with by me. Keith requested that I ask local residents to refrain from filming while works are underway, stating he would otherwise take their phone off them and contact the Police, as he said when he or his friend visit the land people stop their cars to film what they are doing on the land. He also asked about action relating to individuals occupying the nearby woods; I explained this was not my case, but that I knew an Article 4 Direction had been issued and matters were ongoing. Keith requested that paperwork previously affixed to the gate be removed, as he felt it was deterring potential buyers, and further asked that no correspondence be sent to his sister's address or displayed on the land due to concerns for her safety. Finally, Keith expressed dissatisfaction at the issuing of a further Enforcement Notice, stating he had already indicated his intention to remove the caravan and restore the land.

28. On 19 May 2026 at 08:57, I received a telephone call from KEITH JEEVES. He advised that the caravan had not been removed on Monday as planned due to a breakdown of the vehicle intended to collect it; however, he stated that it was expected to be removed later that day. He confirmed that the shed was in the process of being loaded whilst he was speaking to me. He stated that a digger operator was on site scraping the hardcore into a pile and would be forming a slight bank along the edge of the field adjacent to the road. Once this work was completed, he advised that he would be proceeding to remove the tank, including excavation and removal from the ground. He advised that a fence would be installed across the entrance, and if this work was not completed that day, he would return over the weekend to finish it. He also confirmed that the concrete planters, bikes, and other miscellaneous items had been removed. He said that in October, if he still owned the land he would plant the hedgerow. During the conversation, he stated that he was "a man of his word, good and bad."

29. I received a voicemail from KEITH JEEVES on 19th May 2026 at 16:27, you're welcome to pop down and have a look at the site now if you want to the hardcore is heaped up, the grab lorry is supposed to be coming Thursday to grab it for me, and the caravan is supposed to

be going tomorrow but we will telling you Friday just to make sure and then Saturday I'm going down pick up and anything else I see lying about and finish the gate off. So all done give me a ring when you can.

The Council's reasons for applying to extend the injunction order with variation.

30. There have been no changes to the sensitivity and planning constraints in relation to the injunction land. The Council's position is that it is unlikely that planning permission would ever be granted for development on this land and I attach a report authored by Lucinda Roach Development Manager setting out the policy constraints and considerations.

31. Last year there was considerable activity on the land and the Council considers that swift action and orders granted preserved the status quo and prevented unauthorised incursion on to the land.

32. The injunction order is due to expire on 6th June 2025 and the Council has serious concerns for the land upon expiry.

33. The Council considers that there remains a significant risk of breaches of planning control if and when the injunction order expires.

34. In relation to Plots 2 and 3, evidence from publicly available social media posts indicates that BILL LEE and WESY LEE (cousins) have been attempting to sell parts of the injunction land. However, there are currently no corresponding pending applications registered with HM Land Registry for Plot 3, with only an application noted in respect of Plot 2. BILL LEE has vacated his plot(2) but has left the mobile home and shed in situ, which raises concerns that the land remains available for reoccupation as soon as the injunction order expires, or possibly before as his plot has an area marked in the order in which residential use is currently permitted. The Council is therefore concerned that, upon expiry of the current injunction, BILL LEE will return to his mobile home and WESY LEE may seek to occupy his plot. Or, the plots may be sold, as per the social media posts, and those to whom it is sold will attempt to occupy the plots.

35. In relation to Plot 2 with BILL LEE no longer living on since the visit of 2nd September 2025 and subsequent visits the removal of "save for the area edged blue" from the wording of i)

i. Allow the use of the Land, save for the area edged blue, for human habitation or residential occupation or any other purpose in breach of planning control;

36. In relation to Plot 2, the outstanding appeal in relation to the Enforcement Notice affecting Plot 2 is of significant concern to the Council. This demonstrates that the recipients of the enforcement notice still have intentions for their land. It is not known how long it will take for this appeal to be determined. Beyond determination, there is also the possibility of a statutory challenge against the decision. This could take months, if not years, to finally determine. Once the order expires, the land is at risk.

Separately, this appeal process demonstrates that, once the land is occupied and developed, enforcement action can be subject to delay due to the current backlog in planning enforcement appeals. This creates a risk that unauthorised occupation could persist for a prolonged period, resulting in continued harm to the land.

37. In relation to Plot 4, there are continuing issues. KEITH JEEVES (Plot 4) has indicated his intention to submit a planning application for a gypsy and traveller pitch, which demonstrates a continued intention to reside on the land. Furthermore, there has been non-compliance with the requirements of the Enforcement Notice issued, specifically in relation to the closure of the access and the removal of hardcore. Although it has been verbally indicated that works to address this are underway, this has not been verified by a site visit at the time of writing this statement. The retention of this access facilitates entry to the site, including easier access for large vehicles to Plots 1, 2, and 3, thereby increasing the risk of further unauthorised occupation. The timing of the commencement of these works gives rise to concern that they may be intended to avoid further enforcement action, and there remains a lack of clarity as to the intended future use of the land, including whether it is to be sold or developed as a gypsy and traveller site.

38. Furthermore, the Council has issued a further enforcement notice in relation to this plot. It is likely, given the history of this plot, that Mr Jeeves will appeal this enforcement notice also. If the Council refuses the planning application that he has spoken of, it is likely he will appeal against that planning decision. Again, this could take months, if not years and if the order is not continued, the land will continue to be at risk.

39. In relation to a mobile home and a touring caravan having been removed from plot 4 as seen by the Council on site visit on 2nd September 2025 and subsequent visits. At the time of writing this statement the Council has witnessed only a total of 2 mobile homes left across all

plots of the land the Council would request a variation of the order for ii with the removal of "over and above three mobile homes and one touring caravan existing on the Land" and replaced with "over and above two mobile homes on the land"

> ii. Bring onto the Land any touring caravans and/or mobile homes (over and above the three mobile homes and one touring caravan existing on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

40. In relation to buildings or structures on the land, on the last visit to the land on 30th April 2026 there were no dog kennels and only 2 sheds left on the land, one on plot 2 and one on plot 4. I would there for request that the wording is varied for iii by removing "over and above the three sheds and one dog kennel structure existing on the land" and replaced with " over and above the two sheds existing on the land"

> iii. Bring /erect/install any buildings or structures (over and above the three sheds and one dog kennel structure existing on the Land) for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;

41. Whilst the Council does not have specific information regarding the remaining plots, this does not reduce the concern. As I have set out above, when the court was not satisfied that there was a risk to all plots the Council originally included in the injunction land, those owners, despite positive comments that they had no intentions for developing the land, did exactly that because their land was not protected by the order. The Council contends that some owners are simply laying low, waiting for the order to expire.

42. On 18 May 2026, the Council received two separate reports of 2 different unauthorised traveller encampments on private land within the Borough of Tunbridge Wells. This raises concern that such groups may be present in the locality and may seek to occupy the land in question, particularly in the absence of the injunction.

43. The Claimant has carefully considered its options in respect of the Land and the information and evidence to hand but points to the following issues:

> i) an enforcement notice but this would not be effective against anticipated breaches and so would not prevent residential occupation across the Land.
>
> ii) The enforcement appeal process is lengthy (as demonstrated)

iii) Even when exhausted, the penalty for breach of an enforcement notice involves commencing criminal proceedings (where there are also delays) and the only penalty is financial which is not a deterrant.

44. The Claimant is of the view that the injunction order has been effective and that, in the circumstances, given the anticipated breaches of planning control, and the sensitivity of the land, the injunction is the most effective option and that it is proportionate.

45. It is important to take into account the Human Rights issues, especially Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to enjoy property), relevant to this development. It is considered that the assessment and considerations in this report represent an appropriate balance between the rights of the landowner (to enjoy their land subject to reasonable and proportionate controls by a public authority), the interests and rights of those adversely affected by the unauthorised development (the respect for private life and their home and the peaceful enjoyment of their properties) and the wider public interest. The Council has had numerous complaints from other local residents in the course of these proceedings.

46. The service of an Injunction could be interpreted as an interference with the rights of a property owner to use his property as he sees fit and the right to private and family life as set out in Article 8. Such interference is permitted by the Convention if it is in the general interest, but the interference must be 'proportionate', which means that it must not be in excess of what is needed to prevent harm to the general interest.

PERSONS UNKNOWN

47. With regard to the fifth defendants, I am aware of the guidance of the Supreme Court in Wolverhampton City Council and others v London Gypsies and Travellers and others [2023] UKSC 47 and the Council is of the view that this is justified as:

(i) There is a compelling justification for the remedy. This includes consideration of the obligation/duty to provide sites for Gypsies and Travellers [190], Needs assessments, planning policy, other statutory powers available and bylaws. Tunbridge Wells Borough Council has recently adopted a new Local Plan which contains policy H9specifically for Traveller Accommodation., Planning applications should comply with policy H9 and the development on the Land is contrary to planning policy and other statutory powers are not effective;

(ii) There are adequate procedural safeguards in both the application and the draft order including an obligation to take all reasonable steps to draw the application and any order

made to the attention of those likely to be affected by it and to provide generous provision for liberty to apply to have the injunction varied or set aside;

(iii) The Council has considered any matter which a newcomer might raise to oppose the making of the order;

(iv) The order has clear geographical limits as outlined on the plan attached and temporal limits – there is a Return Date;

(v) It is just and convenient that an injunction be granted for the reasons set out in this witness statement.

48. In short, the Council simply does not know who future occupiers intending to occupy the site might be especially as there have been adverts for sale.

ALTERNATIVE SERVICE

49. The Claimant therefore also applies for an Order for service of any injunction order the court may grant by way of the alternative method set out in the draft attached hereto.

50. There is an urgent need to serve any Order granted to restrain further breaches of planning control. It is the Claimant's experience that orders served in the manner proposed are effective in bringing such orders to the attention of the Defendants and also its servants or agents.

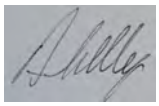
CONCLUSIONS

51. The injunction order is sought to prevent further works from being undertaken and to apprehend the anticipated breaches of planning control which are considered likely for the reasons set out above once the existing injunction order expires. Other options are not effective. It is considered that there is sufficient evidence of an intended breach of planning control that cannot be effectively restrained or apprehended by any means other than an injunction.

52. For these reasons, the Claimant contends that it is necessary and expedient to restrain the Defendants in the manner sought in the draft Order.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or

causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: 

Dated: 21/05/2026

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fifth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000 and TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

BUNDLE 6 JUNE HEARING

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23	**Terry Hughes 1st witness statement and exhibits**	**521**

Claim Form (CPR Part 8)

In the High Court of Justice, King's Bench Division	
Claim no.	
Fee Account no.	
Help with Fees - Ref no. (if applicable)	H W F - -

Claimant

Tunbridge Wells Borough Council
Town Hall, Mount Pleasant Road, Royal Tunbridge Wells TN1 1RS

HIGH COURT OF JUSTICE
20 May 2025
QUEEN'S BENCH DIVISION
KB-2025-001812

Defendant(s)

(1) Bill Lee, Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent, TN17 2RT; (2) Bill Leonard Lee, Four Oaks, Church Hill, Boughton, Monchelsea, Maidstone ME17 4BU; (3) Wesy Bill Wally Lee, Four Oaks, Church Hill, Boughton, Monchelsea, Maidstone ME17 4BU; (4) Roy Christopher Draper, Hill View, Meadow Lane, Wickford, Essex SS11 7DX; (5) Albie John Wilkins, Hawksbill, Morley Lane, Bicker PE20 3DP; (6) Persons Unknown, Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent, TN17 2RT

Does your claim include any issues under the Human Rights Act 1998? ☐ Yes ☑ No

Details of claim (see also overleaf)

(enclosed)

Defendant's name and address

(1) Bill Lee, Land btw Kilndown ...TN17 2RT; (2) Bill Leonard Lee, Four Oaks, ME17 4BU; (3) Wesy Bill Wally Lee, Four Oaks, ME17 4BU; (4) Roy Christopher Draper, Hill View, SS11 7DX; (5) Albie John Wilkins PE20 3DP; (6) Persons Unknown, Land btw Kilndown ...TN17 2RT

	£
Court fee	646.00
Legal representative's costs	
Issue date	

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

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Claim no.	

Details of claim (continued)

Ivy Legal Limited
4th floor, 33 Cannon Street
London EC4M 5SB

enforcement@ivylegal.co.uk

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in these particulars of claim are true.

☑ **The Claimant believes** that the facts stated in these particulars of claim are true. **I am authorised** by the claimant to sign this statement.

Signature

Authorised representative of Ivy Legal Limited

☐ Claimant

☐ Litigation friend (where claimant is a child or a Protected Party)

☑ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
20	05	2025

Full name

Ivy Legal Limited

Name of claimant's legal representative's firm

Ivy Legal

If signing on behalf of firm or company give position or office held

Partner

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

DETAILS OF CLAIM

1. The Claimant seeks an injunction pursuant to Section 187B of the Town and Country Planning Act 1990 (as amended) to prevent continuing breaches of planning control.

2. The Claimant is the Local Planning Authority for the area including the Land known "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684 ("the Land").

3. Section 187B of the Town and Country Planning Act 1990 provides that:

(1) Where a local planning authority consider it necessary or expedient for any actual or apprehended breach of planning control to be restrained by injunction, they may apply to the court for an injunction, whether or not they have exercised or are proposing to exercise any of their other powers under this Part.
(2) On an application under subsection (1) the court may grant such an injunction as the court thinks appropriate for the purpose of restraining the breach.
(3) Rules of court may provide for such an injunction to be issued against a person whose identity is unknown.
(4) In this section "the court" means the High Court or the county court.

4. As set out in the First witness statement of Mr Andrew Culley, Planning Compliance Officer employed by the Claimant, development has taken place in breach of planning control and it is the Claimant's position that works have been undertaken to prepare the Land for residential occupation and further works are anticipated.

5. Mr Larter is the registered owner of the parcel registered under Title number K871684 although applications are pending. On 20th May 2025, the Claimant's solicitors were informed that parcels of land registered under title number K871684 had been sold to: Albie John Watkins, Bill Lee and Bill Leonard Lee, Wesy Bill Wally Lee and Roy Christopher Draper and TP1s were provided. These transfers are not yet registered at HM Land Registry but the Claimant is satisfied that these persons are the owners of the Land and they are the First-Fifth Defendants.

6. The Sixth Defendant is identified only as "Persons Unknown" and refers to those persons who are not named Defendants to this Claim who intend to carry out further works to the Land and/or intend to station caravans and/or mobile homes on the Land for the purpose of residential occupation or other purposes in breach of planning control. The Claimant relies upon Paragraph 21.2 of the Practice Direction Part 49E of the CPR. The Claimant is unable to describe the Sixth Defendant with any greater particularity than the description herein.

7. The change of use of the Land for stationing of caravans for residential use is development for the purposes of Section 55 of the Town and Country Planning Act 1990 and requires planning permission. Operational development such as the laying of hardstanding also requires planning permission.

8. The Land is located within the open countryside, outside of settlement boundaries and is located within a National Landscape, in the vicinity of a listed heritage asset, within the vicinity of Ancient Woodland and within the buffer zone for protection of a site of special scientific interest. Any change of use requires full consideration by the local planning authority.

9. The Claimant considers that it is likely that the Defendants are intending to undertake further works to facilitate the residential use of the Land and to bring further mobile homes and residential paraphernalia on to the Land without the benefit of planning permission.

10. In the circumstances set out in the witness statement of Mr Culley and having regard to the provisions of section 187B of the Town and Country Planning Act 1990 and having regard to Human Rights issues and the Equality Act 2010 and all the circumstances of this matter, it is considered necessary and expedient in the public interest to seek an injunction to prevent further breaches of planning control on the Land.

11. In accordance with Practice Direction 49E (Alternative Procedure for Claims), CPR Part 8 applies to this Claim.

12. The Claimant seeks its costs for and incidental to the claim and any other relief the court considers appropriate.

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

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Name of court	**Claim no.**
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
	H W F – –
Warrant no. (if applicable)	
Claimant's name (including ref.) Tunbridge Wells Borough Council	
Defendant's name (including ref.) Larter et al	
Date	16 May 2025

1. What is your name or, if you are a legal representative, the name of your firm?

   Ivy Legal Limited

2. Are you a ☐ Claimant ☐ Defendant ☑ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent? Claimant

3. What order are you asking the court to make and why?

   Urgent Interim Injunction

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☑ at a hearing ☐ without a hearing

   ☑ at a remote hearing

6. How long do you think the hearing will last? Hours 30 Minutes

   Is this time estimate agreed by all parties? ☑ Yes ☐ No

7. Give details of any fixed trial date or period: 16 May 2025

8. What level of Judge does your hearing need? Judge

9. Who should be served with this application? N/A

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- [x] the attached witness statement
- [ ] the statement of case
- [ ] the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☑ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☑ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☐ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Ivy Legal Limited

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☑ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
1 5	0 5	2 0 2 5

Full name

Ivy legal Limited

Name of applicant's legal representative's firm

Ivy Legal Limited

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

4th floor

Second line of address

33 Cannon Street

Town or city

London

County (optional)

Postcode

E	C	4	M	5	S	B

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Tunbridge Wells/Kilndown

Email

enforcement@ivylegal.co.uk

Statement on behalf of the Claimant
Witness: Andrew Culley
1st Statement
Dated: 15.05.2025
Exhibits:

IN THE HIGH COURT OF JUSTICE **Claim No.**

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Mr Michael Larter
(2) Mr Curtis Love
(3) Mr Keith Jeeves
(4) Mr Bill Lee
(5) Persons Unknown

Defendants

WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. This witness statement relates to Land know as " LAND BETWEEN KILNDOWN POULTRY FARM AND EVANDEN FARM, CHURCH ROAD, KILNDOWN, CRANBROOK, KENT" which is shown edged in red on the plan **Exhibit AC/1** which is registered with HM Land Registry

under Title numbers K871684 in the name of MICHAEL LARTER of 73 Derwent Road, Tonbridge Kent TN10 3HX being purchased on 26 January 2024 and shows application/s pending, TT171000 in the name of CURTIS LOVE of The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE being purchased on 8 August 2024, TT171757 in the name of KEITH JEEVES of 22 Hibbs Close, Swanley BR8 7FA purchased on 23 August 2024. A copy of these registers are attached as **Exhibit AC/2.** The Land therefore comprises 3 plots currently under 3 separate title numbers which were all in the ownership of MICHAEL LARTER when he made a prior approval application for an agricultural barn received 26 January 2024. **Exhibit AC/3**Shows a map and table with breakdown of current ownership shown by HM Land Registry. The parcels are referred to as plots 1a, 1b, 2 and 3. Plot 1a has been further sub-divided into 3 parcels.

3. Tunbridge Wells Borough Council is the local planning authority (the Council/the LPA) within the meaning of the Town and Country Planning Act 1990 (as amended) for an area including the Land. I make this witness statement in support of the Claimant's application for an interim Injunction, and in support of the Claimant's claim generally.

4. I have visited and therefore have knowledge of the Land.

5. The lawful use of the Land is agriculture. The Claimant's evidence is that the Land has recently been divided and purchased/purchases pending and in relation to one parcel, works were pre-planned and commenced during the evening of Friday 9 May 2025 and over the weekend when it was anticipated that the Council offices would be closed. Unauthorised operational development and engineering operations were undertaken which included underground foul water treatment, hardstanding/hardcore laying, the siting of a static residential caravan and the erection of domestic style close board fencing and associated works.

6. The Claimant seeks a prohibitory Injunction to prevent the anticipated use of the wider Land in breach of planning control, to "hold the ring" on the parcel already occupied and to prohibit the further stationing of residential caravans and touring caravans on the Land, and any further associated development which would facilitate the making of a material change of use.

7. The Defendants are MICHAEL LARTER, CURTIS LOVE, KEITH JEEVES the registered legal proprietors with HM Land Registry and BILL LEE as having an interest in the Land as he told the Claimant that he had made a purchase and is residing on part of it and 'Persons Unknown' (dealt with below).

Relevant planning history of the Land and description of the site

8. The fields comprising the Land were free from any form of development or built form and formed part of one land holding of 6 hectares arranged north-south adjacent to Church Road. Soon after purchasing his parcel, Mr Jeeves made an application on 28 February 2025 to change the use of the land to equestrian and the construction of a stable building and access driveway, under application 25/00511/FULL which was refused very recently on the 1 May 2025. There is therefore no planning consent in place for any change of use on any part of the Land.

9. The woodland on the opposite side and to the west alongside Church Road is designated as Ancient woodland and the 30m buffer extends across the road and down the western side of the site. There is also Ancient woodland to the east (Shearnfold Wood) and part of the 30m buffer for this woodland extends into the northeast corner of the site which can be seen in **Exhibit AC/4** as the highlighted green areas on the map. The site is situated outside of the Limits to Built Development and within the High Weald National Landscape (formerly AONB).Under the revised section 85 Countryside and Rights of Way Act 2000 there is a duty on decision makers that they must seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes. Within 400m South east and 400m North east is Land designated as sites of special scientific interest so the Land falls well within the buffer zone for protection and the designated area can be seen in the map highlighted in orange in **Exhibit AC/5** .Any potential harm within the impact risk area of these designated sites has not been assessed. This increases the potential for adverse impacts to rare and endangered species. I attach relevant extracts from the National Planning Policy Framework and Development Plan policies relating to the protection to such areas as **Exhibit AC/6** .

10. Approximately 160m to the north is Evanden Farm, a grade II listed building.

11. A public right of way WC55A runs to the east of the site, during winter months the site will be clearly visible through the tree line.

12. Enforcement history on the Land across all parcels is as follows:

    05/00211/OTHERS - Mobile stables now fenced in – CASE CLOSED – BREACH REMEDIED

    04/00520/UNAUTH - Stables placed on land - refused permission under TW/04/01087 – CASE CLOSED – NO BREACH

24/00276/OPDEV- Hardstanding, access track and hedgerow removal for new access- CASE OPEN- Enforcement report drafted for an Enforcement Notice.

24/00056/OPDEV – Mobile caravan- Caravan was a welfare unit in the woods and is only onsite when working the land- CASE CLOSED- NO BREACH

13. The current lawful use of the Land is agricultural and recently a prior notification application was accepted for 24/00247/AGRIC - Prior Notification of agricultural development for an agricultural barn for storage. The decision was issued on 27.02.2024. It has now been established that the land holding to which this building was meant to relate has been split There have been pre-application submissions over the years in relation to a proposed plant nursery (ref:06/4000/0246) and camp site (ref:05/4000/0281).

14. Other recent planning decisions in these three parcels of land are:

25/00511/FULL: Change of use of land to equestrian, construction of stable building for horses together with highway access crossover & access driveway (refused on highway safety and High Weald National Landscape grounds on 1st May 2025)

04/01087/FULL Three loose boxes (refused on AONB and countryside impact grounds)

Report of Unauthorised development

15. Over the weekend dated 9 May 2025 3 reports were made to the council starting at 16:37 on Friday 9 May that unauthorised work was happening on the land, with tipper lorries of hardcore and a digger creating a hardstanding. Also a low loader vehicle arriving on site with a static caravan. The community safety manager visited on Saturday and planning enforcement officers visited on Monday 12 May 2025.

16. A further 9 reports have continued to be made to the Council up to and including 15th May 2025.

REASONS FOR CONSIDERING A BREACH OF PLANNING CONTROL HAS OCCURRED

17. I visited the site on 12 May 2025 at approximately 12:00 and saw several breaches of planning control including hardcore hardstanding, the mobile home, the waste inlet sticking

out of the ground for the foul water treatment plant, a generator sited on a trailer and concrete fence posts with concrete gravel boards and slot in close board fencing. The fencing was still being put up at the time of my visit. I did ask the male, who identified himself as BILL LEE, to stop any further development, he advised he would continue to put up the fencing to protect his 4 children from others but agreed not to undertake other works. Google earth imagery dated 3rd August 2024 shows the Land as an empty agricultural field. I attach a photo album of photos taken on my site visit as **Exhibit AC/7**. There were 3 vehicles onsite: a transit van tipper lorry, a transit panel van and a Land Rover Discovery. There was also a small digger onsite. BILL LEE advised that he was a Gypsy traveller and had bought the site from someone on 'Facebook' and had to move away from where he was living as he could not get on with them. He said his children ranged from 2 years to 8 years and was registering them with a local doctors and school. He also advised me that his planning agent would be in touch and gave me the name TONY SEARLES.

18. A breach of planning control has also occurred in relation to the material change in the use of the land from agricultural use to mixed agricultural and residential use, through the residential occupation of a static caravan and use of the land for the stationing of a residential caravan and any residential use of the Land amounts to the making of a material change of use of the Land and is also development as defined by Section 55 of the Town and Country Planning Act 1990 (as amended). Planning permission is also required for the deposition of the material on the Land to create hard surfacing and for the excavation of the land to install an underground foul water treatment plant. This is operational development and engineering operations as defined by Section 55 of the Town and Country Planning Act 1990 (as amended) and is unauthorised.

19. I called TONY SEARLES on the 12 May 2025 at around 5pm who advised me he had been expecting my call and that he had been contacted by BILL LEE over the weekend regarding putting in a planning application for a Gypsy Traveller pitch. As at the time of writing this witness statement, no planning application has been submitted.

THE NEED FOR AN INJUNCTION

20. The Planning Practice Guide provides as follows:

Injunction:050

How does a Local Authority decide whether seeking an injunction to restrain a breach of planning control is appropriate?

The PPG states that 'in deciding whether it is necessary or expedient to seek an injunction, local planning authorities may find it helpful to consider whether:

- they have taken account of what appear to be relevant considerations, including the personal circumstances of those concerned;
- there is clear evidence that a breach of planning control has already occurred, or is likely to occur;
- injunctive relief is a proportionate remedy in circumstances of the particular case; a local planning authority can apply for an injunction whether or not it has exercised, or proposes to exercise, any of their other powers to enforce planning control. However, proceedings for an injunction are the most serious enforcement action that a local planning authority can take because if a person fails to comply with an injunction they can take be committed to prison for contempt of court. Additionally, once an injunction has been granted, it cannot be discharged except where there has been a significant change if circumstances a local planning authority should generally only apply for an injunction as a last resort and only if there have been persistent breaches of planning control over long period and/or other enforcement options have been, or would be ineffective.

21. The Claimant considers it necessary, or alternatively expedient for this application to be made, having regard to the matters set out above as it has reasonable grounds to believe that further breaches may occur and all the circumstances pertaining to the history.

22. The Claimant has carefully considered its options in respect of the Land and the information and evidence to hand. Other enforcement options available to the Claimant include issuing a Stop Notice. However, whilst the action the Claimant could take for the breach of a Stop Notice is criminal proceedings, these proceedings are lengthy, and the only penalty is financial. The Claimant could issue an enforcement notice, but this would not be effective against anticipated breaches and so would not prevent further residential occupation. Furthermore, there is an appeal process against an enforcement notice and, in the Council's experience, it could take years to exhaust the appeals process. If the enforcement notice was eventually upheld the only sanction for breach is a fine following criminal proceedings. In the circumstances, and given the anticipated breach of planning control, the Claimant considers that an injunction is the most effective option and that it is proportionate.

23. The use of the Land for residential purposes and further facilitating operational development which goes hand and hand with the further anticipated use such as the laying of hardsurfaced trackways and bases, the insertion of septic tanks, domestic fencing etc., together with the

associated domestic paraphernalia in disregard of planning control is highly likely. The use of the Land for residential occupation is without justification and already results in significant visual harm to this designated beautiful part of the countryside and would represent an incongruous form of development in the landscape. The actual and anticipated development would change the site's character by introducing urbanising elements which would be at odds with its rural character and would be harmful to the landscape's appearance at this point. There is no agricultural justification for any of the works currently carried out on the Land. The harm that has been caused and continues to be caused by the unauthorised development of the Land by the Defendants, both to the Claimant as Local Planning Authority, and to the environs that are sought to be protected by planning enforcement control and planning policies cannot be compensated.

24. The Land is in a very remote area, on a rural lane subject to the national speed limit of 60 miles per hour, it is the main road which leads into Kilndown village. The village consists of approximately only 85 properties and has no shops, doctors surgery or school, the nearest being in the next village which is approximately 4 miles away. There is a very limited bus service to Kilndown.

25. The National Planning Policy Framework provides Government policy on planning matters. Paragraphs 187 - 195 of the National Planning Policy Framework address 'Conserving and enhancing the natural environment', stating that the intrinsic character and beauty of the countryside and the enhancement of the natural and local environment should be protected and enhanced. NPPF provides for protection to National Landscapes. Further, the landscape setting is identified at paragraph 135 as an important consideration of a well-designed place. The protection and enhancement of the countryside and landscape is endorsed by Development Plan Policy, with the Strategic Objectives Policy (SP1) identifying a number of strategic objectives which form the basis of the Local Plan policy framework, as well as providing the core principles that planning applications are expected to adhere to, with criteria (a) referring to the requirement to focus development at accessible and sustainable locations; and (b) referring to the conservation and enhancement of the Borough's natural environment including designated and undesignated landscapes.

26. In addition, there is insufficient information to determine, at this stage, whether there is a risk to highway safety, as it is not clear whether the necessary visibility splays can be achieved to highway standards. This has not been assessed in the absence of a planning application and there is likely to be intensified use of the access that may endanger highway safety

27. In relation to plot 1a occupied by Mr Lee, I am of the view that the development will result in further unauthorised development to facilitate the use of the Land by the family and the residential use of the Land which has and will have a significant impact on the landscape and visual amenity of this part of the countryside will not be conserved, restored or enhanced contrary to planning policy. Furthermore, plot 1a has been sub-divided into 3 parcels. It is not known when exactly this took place but the Council has real fears that the sub-division has occurred for further occupation.

28. In relation to plot 1b, owned by Mr Larter, it is clear that Mr Larter has been selling his land. Updated information is not available at HM Land Registry to confirm all sales made. Given that one parcel has been sold to someone from the Gypsy and Traveller Community, the Council has real fears that further sales have been made or are taking place. My colleague has outlined the Council's knowledge of other land Mr Larter has made available to people for occupation.

29. Plot 2 is owned by Mr Jeeves. As outlined elsewhere his planning application has been recently refused and the Council notes the timing of that refusal and the occupation of the adjacent land by members of the Gypsy and traveller community. Mr Jeeves has been asked to remove all unauthorised items from his land and he is complying with that request recently. However, the Land has an unauthorised access which could easily be utilised.

30. Plot 3 is owned by Mr Love. There has been no activity on this plot and the Council has had no dealings with him. However, this plot is immediately adjacent to the plot occupied by Mr Lee. It is the Council's view that this increases the risk that the plot could be sold or used for residential purposes.

31. In short, there has been significant activity in this area recently and the common factor has been that the Land was all previously in one ownership of Mr Larter. The Council considers there is a risk across all parcels of unauthorised residential occupation or works to facilitate the same.

32. Overall, on the basis of the current information, It is unlikely that officers would support granting planning permission were a planning application to be forthcoming for any form of residential occupation.

33. It is important to take into account the Human Rights issues, especially Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to enjoy property), relevant to this development. It is considered that the assessment and considerations in this statement represent an appropriate balance between the rights of the landowner (to enjoy

their land subject to reasonable and proportionate controls by a public authority) and the wider public interest.

34. The application for an Injunction could be interpreted as an interference with the rights of a property owner to use his property as he sees fit and the right to private and family life as set out in Article 8. Such interference is permitted by the Convention if it is in the general interest, but the interference must be 'proportionate', which means that it must not be in excess of what is needed to prevent harm to the general interest. The Council considers this application proportionate in all the circumstances. The Council has had numerous complaints from other local residents and is of the view that there is significant planning harm. The injunction sought is to require that works in breach of planning control are not undertaken. In relation to those occupying the Land, the Council does not seek removal of the family. However, the Council is concerned that further works will be undertaken especially in light of the calculated breach of planning control already demonstrated. Preventing further harm is necessary.

THE REMEDY SOUGHT

35. The Claimant seeks an interim injunction in the following form to prevent the Defendants and/or persons unknown:

1. In relation to the Land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000, TT171757 (the Land) as shown edged red on the attached plan, the Defendants whether by themselves or by instructing, encouraging or permitting any other person must not use the Land or carry out works to the Land in breach of planning control and, in particular, must not:

    i. Allow the use of the Land, save for the area edged blue, for human habitation or residential occupation or any other purpose in breach of planning control;

    ii. Bring onto the Land any touring caravans and/or mobile homes (over and above the one mobile home existing on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

iii. Bring /erect/install any buildings or structures on the Land for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;

iv. Bring onto the Land any portable structures including portable toilets and any other further items and paraphernalia for purposes associated with human habitation or residential occupation or any other purpose in breach of planning control;

v. Bring onto the Land any further waste materials and/or hardcore and/or like materials for any purpose, including the further creation/laying of hardstandings or hard surfaces, in association with the use of Land for the stationing of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vi. Carry out any further works in relation to the formation of paths, roadways or any works including the provision of sewerage, water and electricity infrastructure associated with the use of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vii. Carry out any further works to the Land associated with or in preparation for its use for stationing caravans/or mobile homes or for the erection of a building and/or any structure for human habitation or residential occupation or any other purpose in breach of planning control;

viii. Undertake any further development on the Land as defined in section 55 of the Town and Country Planning Act 1990 without the express grant of planning permission.

Application without notice

36. This application is being made without notice to the named Defendants. This is because if notice is given, the Defendants would not be prevented in the interim from continuing to undertake further operational development such as the completion of the hardsurfacing

and/or the bringing on to the Land of further residential caravan or taking up of residential use. By their very nature, a residential caravan can be brought on to Land and stationed, being put to a residential use within hours regardless of whether hardsurfacing or any other infrastructure is in place. A significant amount of pre-planned preparatory work has been carried out on the Land displaying a total disregard for the planning process and the intent to carry on regardless. This has been carried out over a weekend when the Council offices are closed and in the hope that no action will be able to be taken until after the weekend, Whilst the extent and detail with which the unauthorised works to date has been executed shows detailed pre-planning, I am firmly of the view that further static and touring caravans will be on their way to the site. Significant financial resource to assist with accomplishing what the Claimant firmly believes is to occupy the Land, ignoring the planning application process and regardless of the resultant numerous breaches of planning control. The Claimant is of the view that providing the Defendants with notice would provide them with time to bring further caravans on to the Land, erect further structures and allow further occupation of the Land immediately and regardless of any other works being carried out and the Claimant's experience is that it is then a lengthy process to secure cessation of unlawful residential occupation.

37. In relation to the parcel occupied by Mr Lee and his family, the Council has real concerns that further breaches of planning control will take place and will not cease unless restrained.

38. In relation to the other parcels, the parcel owned by Mr Jeeves had hardstanding laid some months ago. He confirmed to my colleague that he does not intend to reside on the Land and he has been clearing the Land as requested. However, the Council does consider it a coincidence that he was refused planning permission on 1st May 2025 and occupation on the adjacent parcel took place on 9th May 2025. As his planning application has been refused, he has no use for the Land. The Council is concerned that the parcel is vulnerable to further incursion. The Land-holding has now been parcelled and one parcel is occupied with Mr Lee feeling it necessary to erect fencing around his plot to protect his family. There is a forthcoming bank holiday weekend, when Council offices will be closed and transactions of this type take place quickly as demonstrated by Mr Lee. The Council has real concerns that there are other families about to occupy those parcels. In the Council's experience it is highly unusual for one Gypsy and Traveller family to live alone without extended family or friends adjacent and there does appear to have been some level of cooperation between the plots.

39. It is submitted that it is proper to apply for this Order without notice. Experience shows that if residential occupation is taken up efforts to secure compliance with an enforcement notice

will be time-consuming. Continued damage to the Land and to the environs would be inevitable. This is a sensitive site. An Injunction Order granted now, without notice, only to maintain the status quo, and before the Defendants can complete the operational development and take up the residential occupation of the site will deal effectively with any further risks to the environs.

40. This is a status quo interim injunction sought to protect the sensitive Land from further development without planning process.

PERSONS UNKNOWN

41. With regards to the fifth Defendants, I am aware of the guidance of the Supreme Court of Wolverhampton City Council and others v London Gypsies and Travellers and others [2023] UKSC 47 and the council is of the view that this is justified as:

    (i) There is a compelling justification for the remedy. This includes consideration of the obligation/duty to provide sites for Gypsies and Travellers [190], Needs assessments, planning policy, other statutory powers available and bylaws. - Tunbridge Wells Borough Council has an emerging Local Plan (eLP) which is in the final stages of adoption having completed the Main Modifications consultation on 30th April 2025. It is considered that, in accordance with paragraph 49 of the National Planning Policy Framework, the policy can be given significant weight owing to the advanced preparation of the plan. The eLP contains policy H9 specifically for Gypsy and Traveller Accommodation., Planning applications should comply with policy H9 and the development on the Land is contrary to planning policy and other statutory powers are not effective. The policy was underpinned by a proper evidence base and Needs Assessment;

    (ii) There are adequate procedural safeguards in both the application and the draft order including an obligation to take all reasonable steps to draw the application and any order made to the attention of those likely to be affected by it and to provide generous provision for liberty to apply to have the injunction varied or set aside;

    (iii) The Council has considered any matter which a newcomer might raise to oppose the making of the order;

    (iv) The order has clear geographical limits as outlined on the plan attached and temporal limits – there is a Return Date;

    (v) It is just and convenient that an injunction be granted for the reasons set out in this witness statement.

The Land is registered to the First, Second and Third Defendants with HM Land Registry. The inference is that the land has been sold to the Second, Third, Fourth and Fifth Defendants who will occupy the Land with their respective partners/spouses. I have no evidence of who those wives/partners are or if there are others who may occupy the Land or do works on the Land.

ALTERNATIVE SERVICE

42. The Claimant therefore also applies for an Order for service of any Injunction Order the Court may grant by way of the alternative method set out in the draft attached hereto.

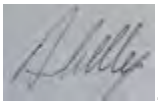
43. There is an urgent need to serve any Order granted to restrain further breaches of planning control. It is the Claimant's belief that Orders served in the manner proposed are effective in bringing such Orders to the attention of the Defendants and also its servants or agents.

CONCLUSION

44. Ultimately the injunction is being sought to prevent any further works from being undertaken and to apprehend the anticipated breach of planning control by preventing the stationing of further residential caravans on the Land and the carrying out of any further unauthorised facilitating development. Whilst there are other options available to the Council, such as an enforcement notice, this would not have immediate effect, would not prevent the occurrence of the anticipated unauthorised development and is likely to result in a lengthy appeal timetable and would not prevent further works at the site. In the circumstances, it is considered that there is sufficient evidence of an intended breach of planning control that cannot now be effectively restrained or apprehended by any means other than an injunction. The Council reiterates that this is a status quo injunction to prevent that which the Defendants are not permitted to do without planning consent in any event.

45. For the reasons stated herein, the Claimant contends that it is necessary and expedient to restrain the Defendants in the manner sought in the draft Order.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed.....  ..... Dated.....15/05/2025.....

Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

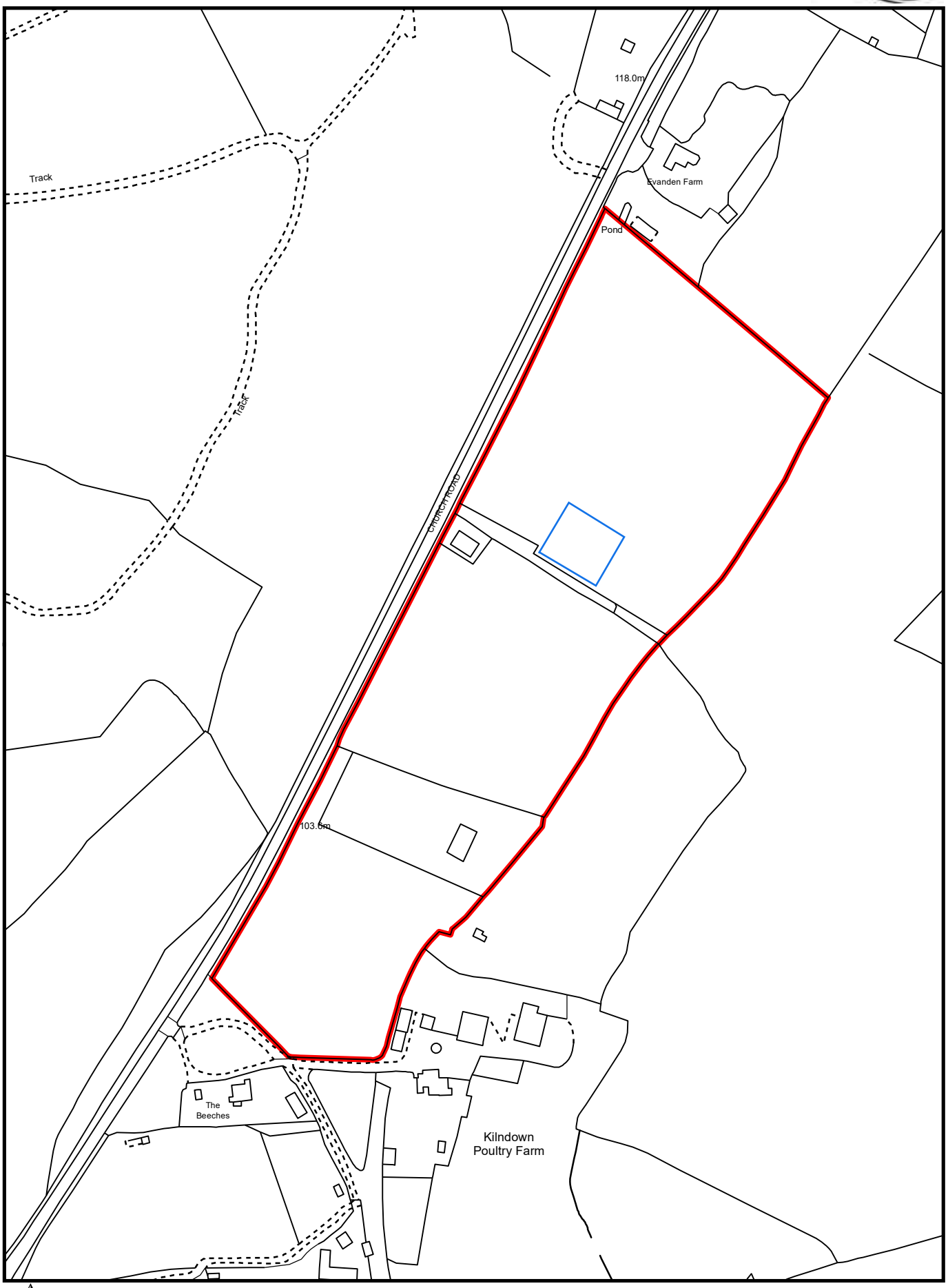
(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

EXHIBIT AC/1

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN

Tunbridge Wells Borough Council



Scale 1:2,500

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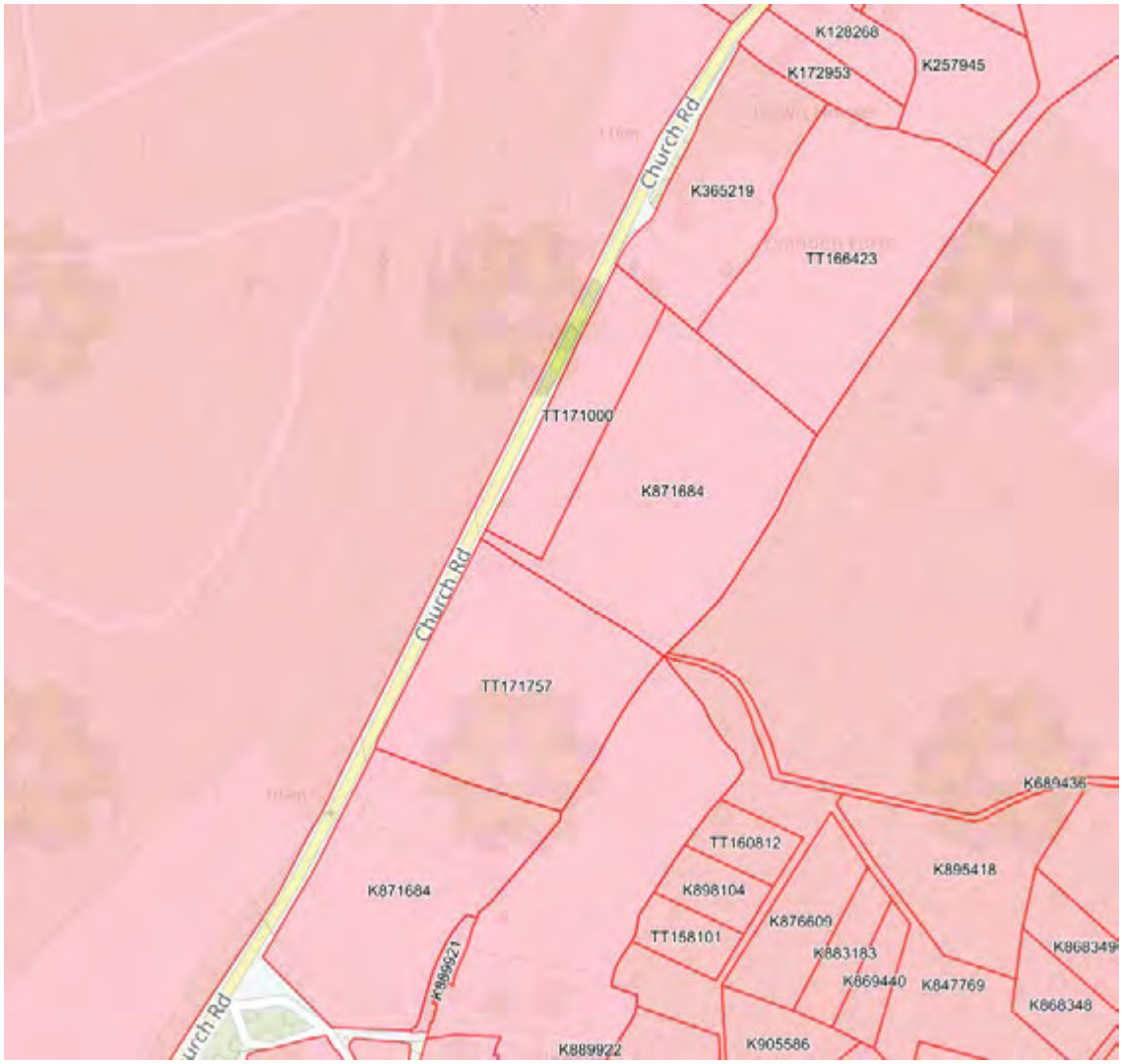
Map Dated: May 2025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K895418
K898104
K871684
K876609
TT158101
K883183
K868349
K869440
K847769
K868348
K889922
K905586

Title	Last date of change	New Owner	Address
K871684	02/02/2024	Michael Larter	73 Derwent Road, Tonbridge TN10 3HX
TT171000	08/08/2024	Curtis Love	The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE
TT171757	03/09/2024	Keith Jeeves	22 Hibbs Close, Swanley BR8 7FA

Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

EXHIBIT AC/2

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 6 SEP 2024 AT 11:16:28. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: K871684

There is/are applications(s) pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being LAND ON THE SOUTH EAST SIDE OF Church Road, Kilndown, Cranbrook.

2 The land tinted yellow on the title plan has the benefit of but the land tinted yellow and tinted pink on the title plan is subject to the rights granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft.

NOTE: Original filed under K366235.

3 (02.09.1996) The land has the benefit of the following rights granted by a Transfer dated 3 July 1996 made between (1) Richard Lee Bancroft (2) Richard Lee Bancroft and Elizabeth Anne Rosetta Bancroft and (3) BAT Trustees (Jersey) Limited and Contra Nominees Limited :-

"TOGETHER WITH the following rights for the Purchaser and his successors in title to the Property:

3.1 a right of way at all times over and along the track coloured brown between the points marked 'V' and 'W' on the plan for the purpose of access to and egress from the woodland comprised within the Property SUBJECT TO payment by the Purchaser and his successors in title to the Second Vendor and its successors in title of the entire costs of repairing and maintaining the track to a reasonable standard."

NOTE: The track coloured brown between points V and W referred to is tinted brown on the filed plan.

4 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed.

5 (03.04.2024) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

6 (08.08.2024) The land has the benefit of any legal easements reserved by a Transfer of the land edged and numbered TT171000 in green on the title plan dated 8 August 2024 made between (1) Michael Larter and (2) Curtis Love but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed under TT171000.

7 (03.09.2024) The land has the benefit of any legal easements reserved by a Transfer of the land edged and numbered TT171757 in green on the title plan dated 23 August 2023 made between (1) Michael Larter and (2)

A: Property Register continued

Keith Jeeves but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed under TT171757.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (02.02.2024) PROPRIETOR: MICHAEL LARTER of 73 Derwent Road, Tonbridge TN10 3HX.

2 (02.02.2024) The Transfer dated 3 July 1996 referred to in the Proprietorship Registerer contains purchaser's/vendor's personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.

3 (02.02.2024) The price stated to have been paid on 26 January 2024 was £225,000.

Schedule of personal covenants

1 The following are details of the personal covenants contained in the Transfer dated 3 July 1996 referred to in the Proprietorship Register:-

"5. The Purchaser covenants with the First Vendor and the Second Vendor and their successors in title as follows:

5.1 within one month of the date hereof the Purchaser shall erect and at all times thereafter keep in good and substantial repair stock proof fences along the boundaries between the points marked L-K and A-B on the Plan and shall at all times hereafter keep in good and substantial repair the fences or boundary features including hedges along the boundaries indicated on the Plan with internal "T" marks and shall also maintain all ditches and bridges on the Property in good order

5.2 for the benefit of the First Vendor and the Second Vendor and their successors in title to the Retained Land and as a separate covenant with the owner for the time being of the land known as Chicks Farm for the benefit of the land comprised in Title Numbers K471423, K750082 and K85592 not to use the Property or any part of it for any purpose which may be or become a nuisance or an annoyance to the First Vendor or the Second Vendor or their successors in title of the Retained Land and to the said Title Numbers K471423, K750082 and K85592.

So as to give to the First Vendor and the Second Vendor and each of them a full and sufficient indemnity but not for any other purpose the Purchaser covenants with them both that he will at all times from the date of this transfer comply with the covenants contained in the registered entries of each of the titles to the Property so far as they relate to the Property and are enforceable and will indemnify the First Vendor and the Second Vendor and each of them and their respective estates and effects against all actions claims expenses and liabilities in respect thereof arising out of any failure to do so."

NOTE: The points marked L-K and A-B referred to above do not affect the land in this title and the boundaries indicated with an internal 'T' are reproduced on the title plan.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land tinted pink on the filed plan is subject to the following rights reserved by a Conveyance dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The approximate position of the water main referred to is shown by a yellow broken line of the filed plan. The position of the drain shown by a green line referred to is shown by a brown broken line on the filed plan.

2 (14.05.2004) The land tinted pink on the title plan is subject to the rights reserved by a Transfer of adjoining land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 14 MAY 2025 AT 14:02:59. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171000

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land on the south-west side of Evanden Farm, Kilndown, Cranbrook (TN17 2RT).

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (08.08.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 8 August 2024 made between (1) Michael Larter and (2) Curtis Love but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

4 (08.08.2024) The Transfer dated 8 August 2024 referred to above contains a provision as to light or air and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (08.08.2024) PROPRIETOR: CURTIS LOVE of The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE.

2 (08.08.2024) The price stated to have been paid on 8 August 2024 was £60,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner

C: Charges Register continued

for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan. The position of the drain shown by a green line referred to does not affect the land in this title.

2 The land is subject to any rights that are granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft.

NOTE:-Copy filed under K366235.

3 (14.05.2004) The land is subject to the rights reserved by a Transfer of land lying to the east of the land in this title dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 13 MAY 2025 AT 17:45:50. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171757

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land lying to the south-west of Evanden Farm, Kilndown, Cranbrook (TN17 2RT).

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (08.08.2024) The land has the benefit of any legal easements reserved by a Transfer of the land lying to the north of the land in this title dated 8 August 2024 made between (1) Michael Larter and (2) Curtis Love but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed under TT171000.

4 (11.11.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 23 August 2024 made between (1) Michael Larter and (2) Keith Jeeves but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

5 (11.11.2024) The Transfer dated 23 August 2024 referred to above contains a provision as to light or air and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (03.09.2024) PROPRIETOR: KEITH JEEVES of 22 Hibbs Close, Swanley BR8 7FA.

2 (03.09.2024) The price stated to have been paid on 23 August 2024 was £138,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land subject to the following rights reserved by a Conveyance of the land in this title and other land dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan. The position of the drain shown by a green line referred to does not affect the land in this title.

2 The land is subject to any rights that are granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft.

NOTE:-Copy filed under K366235.

3 (14.05.2004) The land is subject to the rights reserved by a Transfer of land on the north east side of the land in this title dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 14 MAY 2025 AT 14:02:59. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171000

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land on the south-west side of Evanden Farm, Kilndown, Cranbrook (TN17 2RT).

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (08.08.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 8 August 2024 made between (1) Michael Larter and (2) Curtis Love but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

4 (08.08.2024) The Transfer dated 8 August 2024 referred to above contains a provision as to light or air and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (08.08.2024) PROPRIETOR: CURTIS LOVE of The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE.

2 (08.08.2024) The price stated to have been paid on 8 August 2024 was £60,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner

C: Charges Register continued

for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan. The position of the drain shown by a green line referred to does not affect the land in this title.

2 The land is subject to any rights that are granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft.

NOTE:-Copy filed under K366235.

3 (14.05.2004) The land is subject to the rights reserved by a Transfer of land lying to the east of the land in this title dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

HM Land Registry
Current title plan

Title number **TT171000**
Ordnance Survey map reference **TQ6934NE**
Scale **1:2500**
Administrative area **Kent : Tunbridge Wells**

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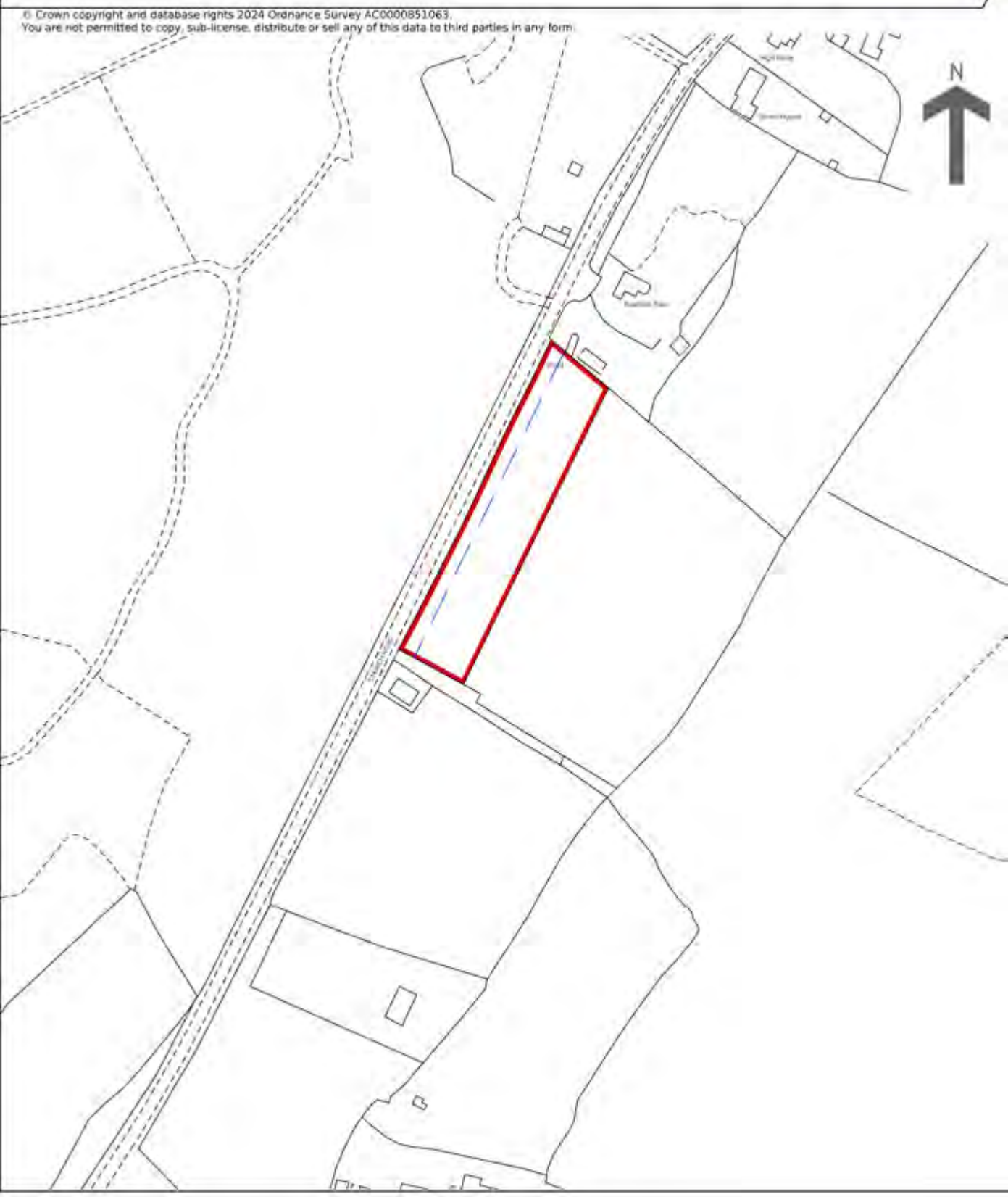

This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 14 May 2025 at 14:05:41. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Nottingham Office.

HM Land Registry
Current title plan

Title number **TT171757**
Ordnance Survey map reference **TQ6934SE**
Scale **1:2500**
Administrative area **Kent : Tunbridge Wells**

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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 13 May 2025 at 17:40:19. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Nottingham Office.

Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

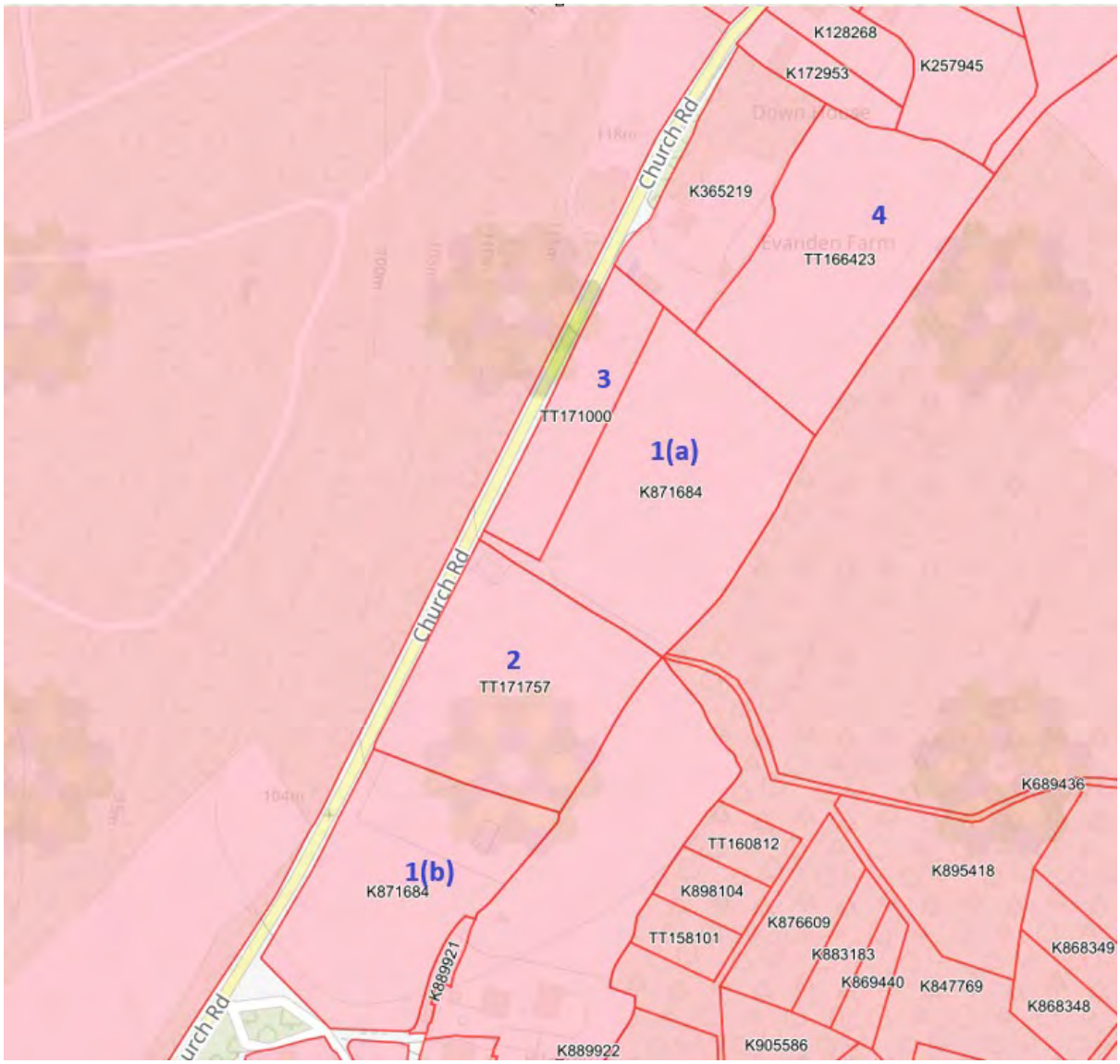
TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

EXHIBIT AC/3



24/00247/AGRIC Site plan and location shows the following titles under the same ownership of Mr Micheal Latter.

Title	Last date of change	New Owner	Address	Unauthorised works
K871684 Plots 1(a) &1(b)	02/02/2024	Michael Larter	73 Derwent Road, Tonbridge TN10 3HX	In 1(a) Change of use of land to mixed residential and agricultural. The stationing and occupation of a static caravan, installation of a foul water treatment unit, stationing of a generator, residential style fencing construction of hardcore hardstanding and provision of a vehicle parking area Plot 1a has been further sub-divided into 3 plots, one of which is occupied by Mr Lee.
TT171000 Plot (3)	08/08/2024	Curtis Love	The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE	
TT171757 Plot (2)	03/09/2024	Keith Jeeves	22 Hibbs Close, Swanley BR8 7FA	Creation of an access and removal of hedgerow and laying of some hardcore
TT166423 Plot (4)	03/04/2024	EDWARD MAENAN READ CUTTING and HARRIETT ALTHEA READ CUTTING	Down House, Kilndown, Cranbrook TN17 2RT	

Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

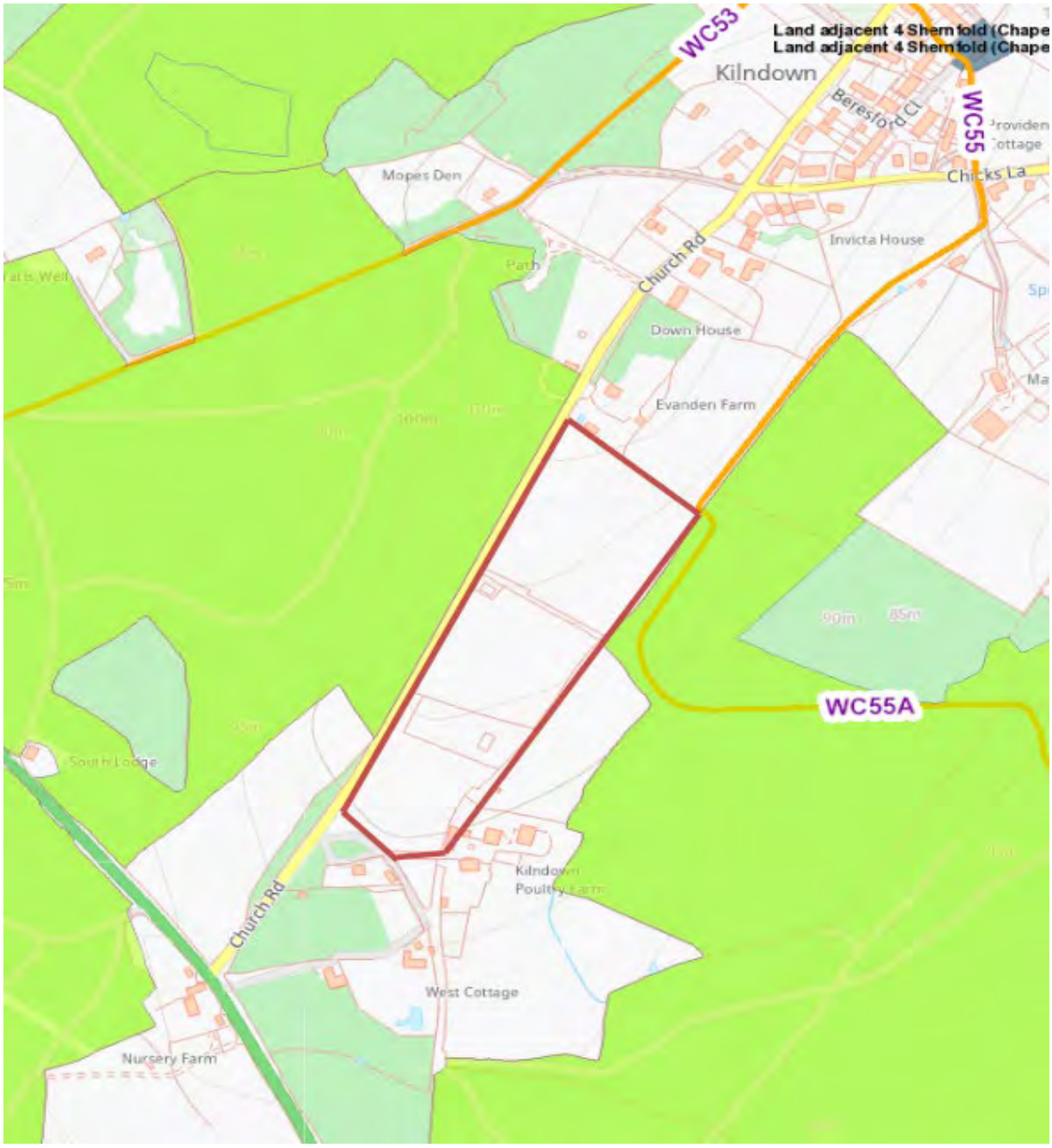
(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

EXHIBIT AC/4

Exhibit AC/4

Ancient woodland Highlighted in green



Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

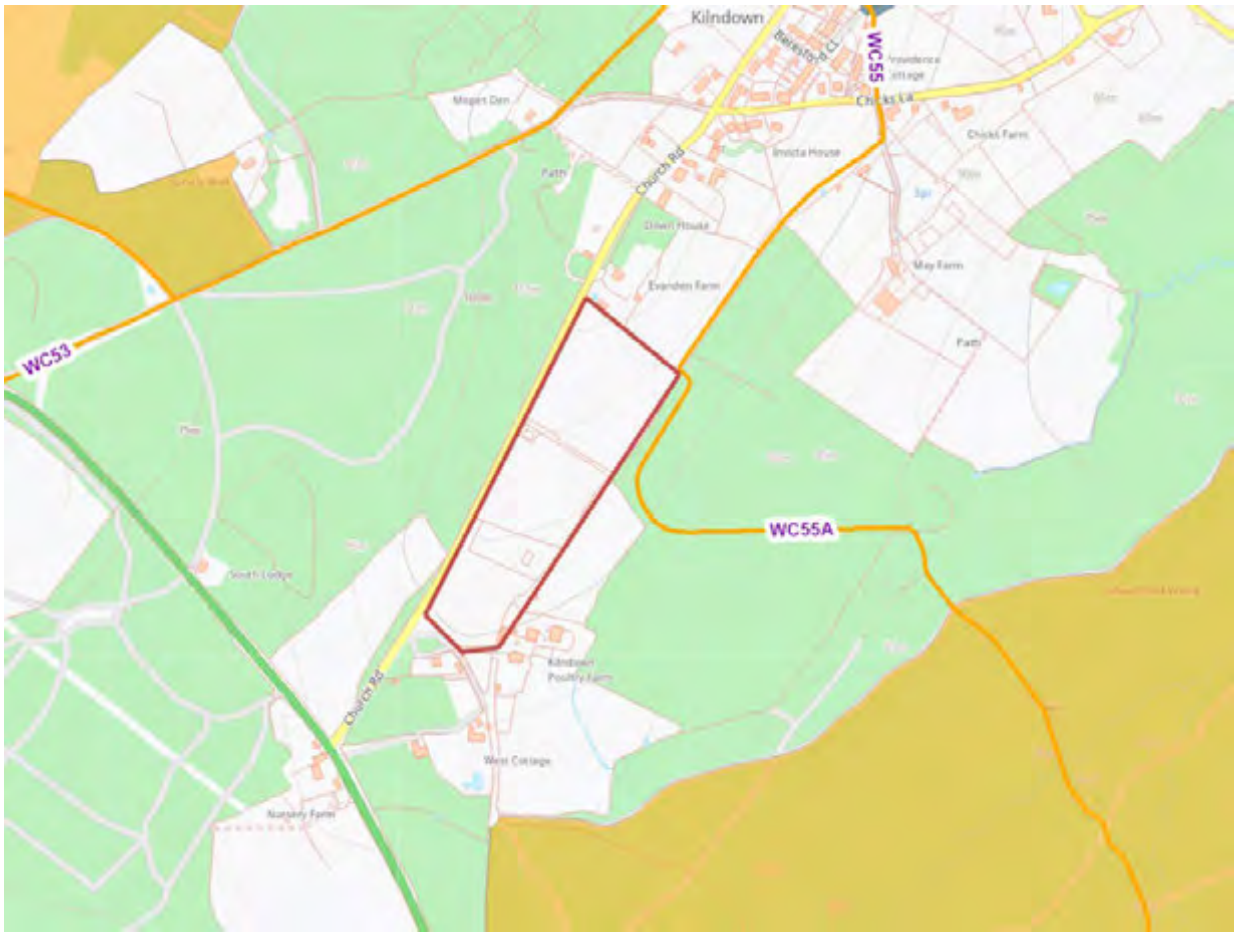
(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

EXHIBIT AC/5

Exhibit AC/5

SSSI designated land highlighted in orange



Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

EXHIBIT AC/6

Policy summaries

National Planning Policy Framework

Paragraph 74 of the NPPF (2023) as well as the Planning Policy for Traveller Sites (PPTS, 2015), Local Planning Authorities should identify and update annually a supply of specific deliverable sites for travellers sufficient to provide a minimum of five years' worth of pitches as assessed against the identified need. The Council identifies that it has a pitch supply of 5.8 years as at 1 April 2023 (which equates to a surplus of 1.8 pitches). The Council therefore does have a five-year Gypsy and Traveller Pitch Supply.

Paragraph 193. When determining planning applications, local planning authorities should apply the following principles, development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons70 and a suitable compensation strategy exists.

Paragraph 189. 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 Broads66. 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.

The NPPF and PPTS are material planning considerations, as is that TWBC can currently demonstrate a five-year Gypsy and Traveller pitch supply

Paragraph 25 of the PPTS which sets out the following: "*Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.*"

Paragraph 26 of the PPTS also states that Local Planning Authorities should attach weight to whether sites are well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness. The PPTS also states that sites should not be enclosed with so much hardstanding, high walls or fences, that

the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

Tunbridge Wells Borough Local Plan 2006:

Policy LBD1 'Development outside the Limits to Built Development (partially superseded by Site Allocations Local Plan)' of the Local Plan 2006 seeks to restrict new development in the countryside. Development outside the LBD will only be permitted where it would be in accordance with all relevant policies in the Local Plan.

Policy EN1 'Development Control Criteria' seeks that All proposals for development within the Plan area will be required to satisfy inter alia that no significant adverse effect on any features of nature conservation importance which could not be prevented by conditions or agreements.

Policy EN8 'Outdoor Lighting' seeks to restrict the amount of external lighting in order to minmise glare, light spillage in relation to local character, the visibility of the night sky, the residential amenities of adjoining occupiers, and public safety.

Policy EN16 'Protection of groundwater and other watercourses' requires that development proposals would have e no unacceptable effect on the quality or potential yield of groundwater, and that in appropriate locations, development proposals will be required to incorporate sustainable drainage systems for the disposal of surface waters.

EN25 'Development control criteria for all development proposals affecting the rural landscape' sets out the criteria that development outside the LBD is required to satisfy, including that the proposal has a minimal impact on the landscape character of the area, has no detrimental impact on the landscape setting of settlements, would not result in an unsympathetic change to the character of a rural lane, and that it should be well screened by existing vegetation.

Policy H4 'Gypsy Sites' is now considered to be 'in-date', but in any case the Policy broadly aligns with overarching themes and objectives within the NPPF as well as the PPTS.

Policy TP4 'Access to the road network' requires development to have a safely located access with adequate visibility, and Outside the Limits to Built Development, as defined on the Proposals Map, the development would not involve the provision of an additional access or the intensification of use of an existing access directly onto a Primary or Secondary route;

Tunbridge Wells Borough Core Strategy 2010:

Core Policy 1 'Delivery of Development' of the 2010 Core Strategy sets the development framework for the Plan including a priority being given to land within the LBD.

Core Policy 6 'Housing Provision' also states that, in consideration proposals for Gypsy and Traveller accommodation, the Council will have regard to the provisions of Core Policy 1 (Delivery of Development), the potential to extend existing sites or re-use previously occupied sites, the suitability of sites with temporary permissions, as well as that development should not prejudice the development strategy for the borough.

Core Policy 4 'Environment' seeks to conserve the built and natural environments are rich in heritage assets, landscape value and biodiversity, which combine to create a unique and

distinctive local character much prized by residents and visitors alike, by conserving and enhancing the High Weald AONB.

Core Policy 5 ‘Sustainable Drainage and Construction’ sets out that the Borough Council will apply and encourage sustainable design and construction principles and best practice in order to combat avoidable causes of climate change and adapt to and/or mitigate already-unavoidable impacts of climate change, with new development expected to inter alia Make efficient use of water resources and protect water quality.

Core Policy 14 ‘Development in the Villages and Rural Areas’ states inter alia, that new development will generally be restricted to sites within the Limits to Built Development (LBD) of the villages in accordance with Core Policy 1, that the countryside will be protected for its own sake and a policy of restraint will operate in order to maintain the landscape character and quality of the countryside.

Tunbridge Wells Borough Submission Local Plan 2021:

Policy STR1 ‘The Development Strategy’ promotes inter alia, the effective use of urban and previously developed (brownfield) land, having due regard to relevant Plan policies, Looks to focus new development within the Limits to Built Development of settlements.

Policy STR2 ‘Place Shaping and Design’ requires that development respond positively to local character and context to preserve and enhance the quality of existing communities and their environs.

Policy STR7 ‘ Climate Change’ All development within the borough will recognise the Climate Emergency and be supportive of the Council’s ultimate target to achieve net zero emissions across the borough by 2030.This will be achieved by inter alia, reducing the need to travel, especially by private car; and securing the maximum possible journeys made by active and sustainable transport for both people and freight.

Policy STR8 ‘Conserving and Enhancing the Natural, Built, and Historic Environment’ Development is expected to make a positive contribution to the natural, built, and historic environment of the borough. This includes landscape assets, biodiversity, geodiversity, priority habitats and species, statutory and locally designated sites and areas, and archaeological assets.

Policy PSTR/GO 1 The Strategy for Goudhurst parish, Set Limits to Built Development for Goudhurst village, as defined on the Policies Map (Inset Map 25) as a framework for new development over the plan period.

Policy EN9 Biodiversity Net Gain, that of the development will result in a measurable long-term net gain for biodiversity in both area and linear habitats.

Policy EN 10 Protection of designated sites and Habitats The positive management of designated sites and habitats is encouraged and promoted, as is their conservation and enhancement in accordance with their hierarchical status. Development proposals that would have a direct or indirect adverse effect on the nature conservation or geological interest of a designated site of national, regional, or local importance will not normally be permitted.

Policy EN 18 Rural Landscape. Development will be required to: Conserve and enhance the unique and diverse variety and juxtaposition of the borough’s landscape and the special features that contribute positively to the local sense of place; Include appropriate mitigation to ensure against significant harm to the landscape setting of settlements, including historic

farmsteads and hamlets; Not result in unsympathetic change to the character of a rural lane, which is of landscape, amenity, nature conservation, or historic or archaeological importance;

Policy EN 19 The High Weald Area of Outstanding Natural Beauty All development within, or affecting the setting of, the High Weald Area of Outstanding Natural Beauty (AONB) shall seek to conserve and enhance its landscape and scenic beauty, having particular regard to the impacts on its character components, as set out in the High Weald AONB Management Plan. Development in the AONB should be limited in scale and extent, appropriate in terms of its nature and location, and should demonstrate a positive contribution to the objectives of the AONB Management Plan.

Policy H 9 Gypsies and Travellers To meet the accommodation needs for Gypsies and Travellers over the plan period, proposals for additional pitches, as set out in the plan.

Goudhurst Neighbourhood Development Plan:
Policy L1 - Development within the AONB Development proposals in the High Weald AONB should, where appropriate, make a positive contribution towards the conservations and enhancement of the natural beauty of the designated landscape.

Policy L3 Retain the Profile of our Hilltop Villages Development should preserve and enhance the profiles of the three hilltop settlements (Goudhurst, Kilndown and Curtisden Green), as seen from the surrounding countryside.

Policy L4 Conserve Landscape and Heritage Assets Development proposals should preserve and enhance the historic landscape of the Parish, and its heritage assets and their settings in a manner appropriate to their significance.

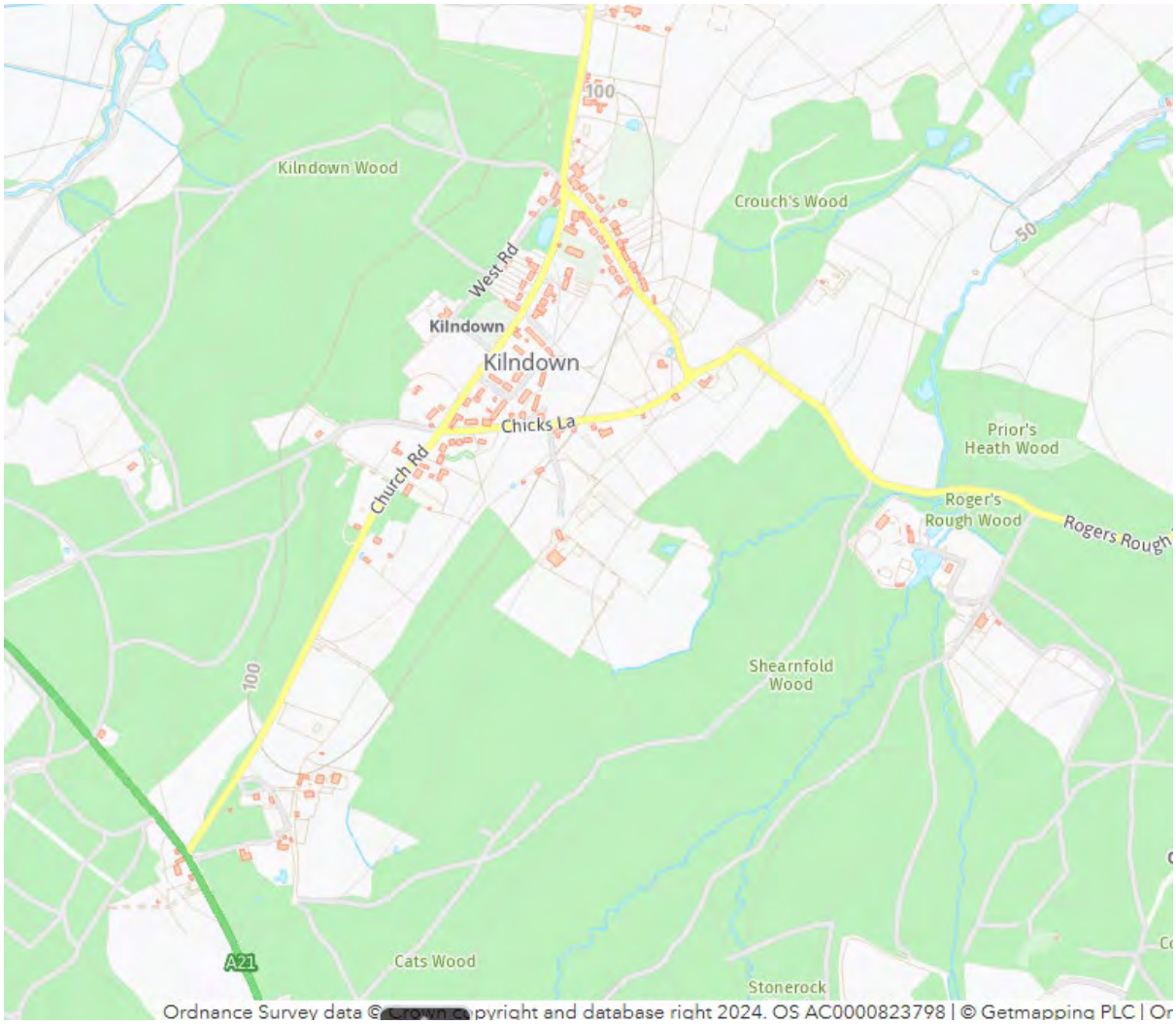
Policy L6 Biodiversity All development should contribute to a net gain in biodiversity. Development that would result in a loss of biodiversity will only be supported where proposals: 1. mitigate that loss; or, where that is not possible, 2. compensate for that loss.

Policy L8 Protection of the Rural Landscape at Night (‘Nightscape’) All proposals for external lighting should demonstrate an essential purpose to the occupier of beneficial impact to the community and have regard to current policies and guidelines of the High Weald AONB and TWBC.

Google Aerial Image -

Site Context Image from Tunbridge Wells Borough Council GIS system (2019)

m


Kilndown Wood
Crouch's Wood
West Rd
Kilndown
Kilndown
Chicks La
Church Rd
Prior's
Heath Wood
Roger's
Rough Wood
Rogers Rough
Shearnfold
Wood
A21
Cats Wood
Stonerock
Ordnance Survey data © [redacted]pyright and database right 2024. OS AC0000823798 | © Getmapping PLC | Or

Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

EXHIBIT AC/7

Exhibit AC/7

May 12, 2025 12:12

May 12, 2025 12:12

May 12 2025 12:08

May 12, 2025 12:08

May 12, 2025 12:08

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CAPELWOOD
May 12, 2025 12:08

Statement on behalf of the Claimant
Witness: Leanne Tarling
1st Statement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

(1) MR MICHAEL LARTER
(2) MR CURTIS LOVE
(3) MR KEITH JEEVES
(4) MR BILL LEE
(5) PERSONS UNKNOWN

DEFENDANTS

WITNESS STATEMENT OF LEANNE TARLING

I, Leanne Tarling, Planning Investigation Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS

WILL SAY as follows:-

1. My duties as a Planning Investigation Officer include investigation of, and enforcement against, breaches of planning control in the Borough of Tunbridge Wells.

2. On 12th May 2025 I visited the Land Between Kilndown Poultry Farm And Evanden Farm, Church, Road, Kilndown, Cranbrook Kent with my colleague Andrew Culley (Planning Compliance Officer) under the enforcement case reference 25/00094/OPDEV. This was to confirm the unauthorised stationing of a mobile home, laying of a hard surface and erection of fences on an agricultural field.

3. On site we met a man named 'Bill' who explained that him, his wife and four school aged children has moved in on the Friday (9th May 2025).

4. I have since learnt that some of the land in question is owned by Michael Larter of 73 Derwent Drive, Tonbridge, TN10 3HX. This man is known to me as he is the land owner of a separate enforcement case I have been working on which involves a number of planning breaches including unauthorised removal of TPOs, unlawful development including dwellings, intentional concealment, stationing of several containers and other storage and several matters of concern for the environmental agency and environmental health. This site has constraints such as TPO, Article 4 Direction, AONB/HWNL, Metropolitan Green Belt, Ancient Woodlands, and outside the LBD. There is a further site which Mr Larter owned that was under investigation just south of Kilndown. This site was initially a woodland that should be protected by its ancient woodland status, AONB/HWNL which has since been used for an extensive amount of fly tipping where it now presents as a scrap yard.

5. From these previous dealings, I consider Mr Larter to be a land owner with no regard for planning legislation, the preservation or enhancement of the land, or respect for the Council. He has repeatedly breached planning control and sometimes his actions have caused irreversible damage to protected areas. Mr Larter has enabled himself and 3 others to live independently and 'off grid', (confirmed on a Planning Contravention Notice dated06/06/24) at his land known as May's Wood Place, Pembury Road, Capel, Tonbridge Kent, TN11 0ND. Given the amount of protection the land at May's Wood Place benefits from which has been ignored by Mr Larter, it leads me to believe that the possibility of his land referred to in these proceedings being used or sold for unlawful occupation is particularly high.

6. On 15th May 2025 I revisited the land in question after we received complaints of additional materials being taken to the land and works being undertaken. On attendance I noted additional hardstanding (approximately 25 square meters) at the entrance of the track (Title number K871684) leading from the highway, and a smaller amount (approximately 16 square meters) of additional hardstanding by the gates of the land now occupied by Bill Lee. Bill Lee has erected the remains of the fence since my last visit. Whilst on site I saw Bill's partner and four children. I went inside the mobile home and can confirm the family of five are residing on site. Mr Lee has undertaken further works where he is residing since we visited on 12th May 2025.

7. I spoke briefly with Keith Jeeves in person on site on his land (Title number TT171757) during the visit on 15tth May 2025 whereby he informed me that his planner is working with TWBC to secure planning permission for a stable like building and to retain the entrance. He stated that he is not and does not intend to reside onsite. Whilst I note that he says that his planner is working with TWBC, his planning application was refused on 1st May 2025 and the Council has been asking him to regularise the position on his land. I noted that he has removed a tank seen on site since my visit on Monday. Onsite there was a horsebox and van (to pull the box), a very small open trailer, and one horse fenced in with post and wire fencing. There is also some hardstanding on his land which has been in place for some months.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

Date: 15/05/2025

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001739**

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE THE HONOURABLE MR JUSTICE EYRE

DATED 16th May 2025

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) MICHAEL LARTER
(2)
(3)
(4) BILL LEE
(5) PERSONS UNKNOWN (being those, whether the extended family of the Second to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684)

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED: MICHAEL LARTER, BILL LEE AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT

1. This Order prohibits you from doing the acts set out in this Order. You should read the terms of the Order and the guidance notes very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge the Order.

2. If you disobey this order you may be found guilty of Contempt of Court and may be sent to prison or fined. In the case of a Corporate Defendant, it may be fined, its Directors may be sent to prison or fined or its assets may be seized.

On the 16th May 2025 Mr Justice Eyre considered the Application brought by Tunbridge Wells Borough Council ("the Claimant") for an injunction supported by the Witness Statements listed in Schedule A and accepted the undertakings listed in Schedule B at the end of this Order.

UPON hearing Counsel for the Claimant, upon reading the witness statements listed in Schedule A and upon accepting the undertakings listed in Schedule B

IT IS ORDERED THAT UNTIL 23rd May 2025 (the Return Date) OR FURTHER ORDER:

THE INJUNCTION

1. In relation to the Land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000, TT171757 (the Land) as shown edged red on the attached plan, the Defendants whether by themselves or by instructing, encouraging or permitting any other person must not use the Land or carry out works to the Land in breach of planning control and, in particular, must not:

    i. Allow the use of the Land, save for the area edged blue, for human habitation or residential occupation or any other purpose in breach of planning control;
    ii. Bring onto the Land any touring caravans and/or mobile homes (over and above the one mobile home existing on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;
    iii. Bring /erect/install any buildings or structures on the Land for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;

iv. Bring onto the Land any portable structures including portable toilets and any other further items and paraphernalia for purposes associated with human habitation or residential occupation or any other purpose in breach of planning control;

v. Bring onto the Land any further waste materials and/or hardcore and/or like materials for any purpose, including the further creation/laying of hardstandings or hard surfaces, in association with the use of Land for the stationing of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vi. Carry out any further works in relation to the formation of paths, roadways or any works including the provision of sewerage, water and electricity infrastructure associated with the use of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vii. Carry out any further works to the Land associated with or in preparation for its use for stationing caravans/or mobile homes or for the erection of a building and/or any structure for human habitation or residential occupation or any other purpose in breach of planning control;

viii. Undertake any further development on the Land as defined in section 55 of the Town and Country Planning Act 1990 without the express grant of planning permission.

IT IS FURTHER ORDERED THAT:

ALTERNATIVE SERVICE

2. Service of this Order and related documentation may be effected by:

   a. the posting of sealed copies of the said Order, the Application Notice, the Claim Form and evidence in support of the Application and any future documentation in a transparent waterproof envelope in a prominent position on the Land;
   b. advertisement on the Claimant's website and social media sites which it considers might be reasonably bring this Order to the attention of the Defendants;
   c. service at any mobile homes, caravans, static homes of other dwellings already on the Land

and such posting/advertisement in accordance with a. and/or b. and/or to c. above shall be deemed to be good and sufficient service on the Defendants of the said Order, the Application Notice, Claim Form and evidence in support of the Application and any future documentation on the date it was so affixed.

THE RETURN DATE

3. There shall be a hearing at 10.30am on 23rd May 2025 (the Return Date) with a time estimate of 2 hours at the Royal Courts of Justice, unless the named parties consent in writing that no such hearing is necessary. On the Return Date, the Defendants can make, if so advised, representations in relation to the continuation, variation or discharge of the Order.

VARIATION OR DISCHARGE OF THIS ORDER

4. The Defendants may each of them (or anyone notified of this Order) apply to the Court on 48 hours written notice to the Claimant's legal representatives to vary or discharge this Order (or so much of it as affects that person). Except that the hours between 5pm on any Friday and 9am on any Monday cannot be counted as part of the 48 hours' notice period.

5. Any person, other than the First-Fourth Defendants, who wishes to be heard under paragraphs 3 or 4 must apply to the court to be added as a named defendant to these proceedings and must provide their names and contact details in the application.

COSTS OF THE APPLICATION

6. Costs reserved.

7. Liberty to apply.

GUIDANCE NOTES

Effect of this Order – The Defendants

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

Effect of this Order - Parties other than the Claimant and Defendants

It is a Contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

The grant of this order does not prevent the Defendants from raising any objection of law, practice, justice or convenience at the Return Date or other hearing before the court.

Interpretation of this Order

1. In this Order, the words "the Land" means land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684 edged red on the attached plan.

2. In this Order, where there is more than one Defendant (unless otherwise stated) references to "the Defendants" means each or all of them.

3. A requirement to serve on "the Defendants" means on each of them. However, the Order is effective against any Defendant on whom it is served.

4. An Order requiring "the Defendants" not to do anything applies to all Defendants.

5. In this Order, the Fifth Defendant identified only as "Persons Unknown" refers to those adult persons who are not named Defendants to this Application who have an interest in the Land and/or intend to carry out further works to the Land and/or intend to station caravan and/or mobile homes on the Land for the purpose of human habitation and/or residential occupation or any other purpose in breach of planning control.

Communications with the Court

All communications to the Court about this Order should be sent to Room WG08, Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010). The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday except holidays.

SCHEDULE A

Evidence

The Judge read the following written evidence before making this Order:-

1. First Witness Statement of Andrew Culley dated 15th May 2025
2. First Witness Statement of Leanne Tarling dated 15th May 2025

SCHEDULE B

Undertakings given to the Court by the Claimant:-

1. As soon as practicable the Claimant will serve on the named Defendants a sealed copy of this Order and evidence together with Counsel's skeleton argument for the hearing in support pursuant to the Order for alternative service herein.
2. As soon as practicable the Claimant will serve on the named Defendants the sealed Claim Form in this action claiming the appropriate relief.
3. To use the Claimant's best endeavours to effect personal service on the named Defendants.

Name and Address of Claimant's Legal Representatives:-

Ms Izindi Visagie
Ivy Legal Ltd
3rd Floor, 26 Finsbury Square
London
EC2A 1DS

Tel: 02037455896
DX:353 XX
Email: izindi@ivylegal.co.uk

Claim No. KB-2025-001739

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

DATED 16th May 2025

IN THE MATTER

B E T W E E N:-

TUNBRIDGE WELLS BOROUGH COUNCIL
Claimant

-and-

(1) MICHAEL LARTER
(2)
(3)
(4) BILL LEE
(5) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684)

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS, MICHAEL LARTER, BILL LEE AND PERSONS UNKNOWN

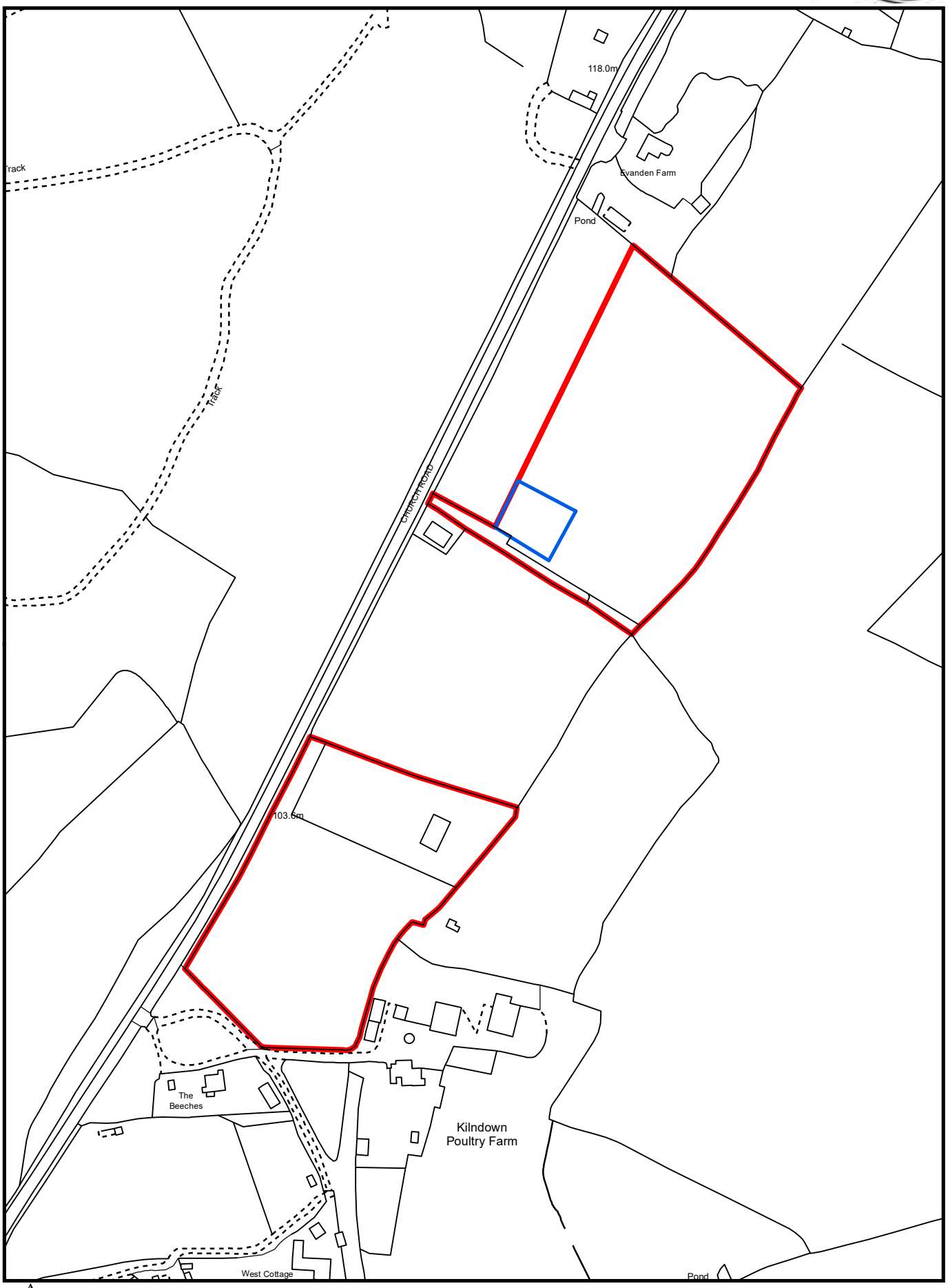
DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED

Ms Izindi Visagie, Ivy Legal Ltd
Tel: 02037455896
DX:353 XX
Email: izindi@ivylegal.co.uk

Solicitors for Tunbridge Wells Borough Council

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN

Tunbridge Wells Borough Council



Scale 1:2,500

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Map Dated: May 2025

IN THE HIGH COURT OF JUSTICE **CL NO.**

BEFORE MR JUSTICE EYRE

BETWEEN:

TUNBRIDGE WELLS BOROUGH COUNCIL	**Claimant**
-and-	
(1) MICHAEL LARTER **(2) CURTIS LOVE** **(3) KEITH JEEVES** **(4) BILL LEE** **(5) PERSONS UNKNOWN (being those, whether the extended family of the Second to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000, TT171757**	**Defendants**

NOTE OF THE HEARING ON 16 MAY 2025

Hearing (without notice) in Court 37 for an urgent injunction

Before Mr Justice Eyre

Ms Emmaline Lambert appeared for the Applicant. The Respondents did not appear and were not represented.

Started at 15:47

Court associate called on the case.

J: Yes.

EL: I appear on behalf of Tunbridge Wells Borough Council in this application without notice for an interim injunction. I'm grateful it's being heard on short notice. I understand you may have only just received the papers.

J: Have looked at application notice, witness statement …

EL: Those are the key documents. I can assist with relevant parts of the documents as I go through my submissions.

J: Yes, carry on.

EL: May I address the without notice aspect first. I acknowledge that it is irregular to seek an injunction without notice but it is urgent. Forewarning would frustrate the purpose of seeking the order. The land with which the application is concerned is sensitive in planning and environmental terms. This increases the need to ensure that no further damage is incurred. It is quite some way away from the nearest settlement. The land is within the national landscape AONB. Section 85 of the Countryside and Rights of Way Act says that there is a need to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. At p.67 of the paginated bundle there is a summary of the relevant policies that apply to the different designations that are on this land. It is helpful to turn that up. I'm just going to find it myself, my Lord. On that page is exhibit AC/6. Para 189 of the NPPF says 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. That's to set the context in relation to that. There are also local policies in play. Harm should be avoided. The site lies within 400m of a SSSI. If my Lord looks at p.65 these are sites of scientific interest. Also a national designation. That plan on p.65 shows the redline and also the SSSI. The land is within the buffer zone of the SSSI so there is a risk of harm that needs careful consideration.

Mr Culley also refers to ancient woodland.

In order to explain the without notice point in terms of wishing to ensure no further damage is caused I need to explain the sensitivity of the site.

P.65 the exhibit shows the redline of the land. Also shows the ancient woodland.

J: Yes.

EL: And if I take My Lord back to p.67. You will see that para.193 is the paragraph of the NPPF that says When determining planning applications, local planning authorities should apply the following principles, development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons70 and a suitable compensation strategy exists. That's just to explain that ancient woodland is irreplaceable habitat according to national policy, again making the site extremely sensitive. Mr Culley also references a heritage asset only 160m away.

The laying of hardcore, installing foul drainage, bringing a mobile home causes harm. It is a breach of planning control. It shows a blatant disregard for planning control. There is also a real risk of environmental harm, hence the need for the without notice injunction. But another reason for the without

notice injunction is that last weekend Mr Lee moved onto the site with his family. I'll come in a moment to how the land has been divided up into parcels.

Bringing mobile homes onto the land does happen in hours. Waiting any longer means more environmental harm. The more work that is done is the more work that will have to be undone.

Mr Culley explains in his witness statement why the without notice has been made. If I can talk about each of the defendants:

In the bundle on p.60 Mr Culley has here produced a plan and he has renamed the plots 1a 1b 2 3. Originally all of these plots and the one above it which has got 4 on it, were the same plot in the name of the first defendant.

Over the last year he has sold off these individual fields. And on p.61 is a table Mr Culley has produced to show how ownership has changed and when it has changed.

While land registry shows land still in ownership in the name of Mr Larter, plot 1a has been subdivided into three plots. It still shows on the land registry as being in the name of Mr Larter. That is the concern. Looking at the witness statement of Ms Tarling …

J: She speaks in strong terms about Mr Larter but she doesn't exhibit any material to back that assertion. She doesn’t exhibit details of the refusal of permission, details of alleged breaches of planning control. How can I attach weight to that without the underlying material?

EL: Mr Larter is known to the authorities as having a blatant disregard for planning control.

I appreciate that you will not have seen the underlying material. This has all happened late last night. The statement was finalised late last night as well. She has given details of PCN. It has a statement of truth attached to it.

J: Where is the reference?

EL: At para.5

J: Yep.

EL: Ms Tarling has made a statement. There is a statement of truth attached to it. She is an officer of the council. This is her area. She says she's had dealings with him.

J: I accept she's had dealings with him. She seems to characterise him as having no respect for the council. I’m afraid that's not a ground for granting an injunction. If I am to proceed on the basis he's a bad sort …

EL: At para.4 of Ms Tarling's witness statement she talks about the site as having a TPO, it's outside limits of built development. It has ancient woodland status. It's been used for fly tipping …

I understand the court doesn't have underlying info about it but she's saying these are also sensitive sites which has meant at the very least the council has had to investigate and take action.

Given the council's position on Mr Larter and what the court knows about Mr Lee, the council's position is there would be harm if either were notified.

J: Lee says he's going to put up fencing. There's no suggestion he's done anything else?

EL: Ms Tarling's witness statement suggests there are further reports coming in. She went back to site yesterday afternoon. At para.6 she says she revisited site … on attendance she noticed additional hardstanding. The land was occupied by Mr Lee. While on site she saw Mr Lee's partner. She confirmed the family was living on site. Mr Lee had undertaken further works.

J: It is not clear to me whether those works were simply the fence or something else.

EL: It's the hardstanding.

[EL checked with Mr Culley]

So, Mr Culley confirms that he has spoken to Ms Tarling. He confirms there is hardstanding at entrance and 18sqm is within the plot Mr Lee is occupying and that is new since Ms Tarley went on Monday.

J: What you're seeking is requiring Mr Lee and his family to leave?

El: No my Lord. At the front of the court bundle - it starts on p.22. It might need some explanation actually.

J: Para.1…

EL: Para.1. It says "save for the area edged in blue"

J: Oh I see, save for the area edged in blue.

EL: Yes that's where Mr Lee is. To be clear, this is a 'holding the ring' injunction. The council doesn't intend to include any mandatory steps at all. The fear is that … he may possibly bring on more caravan homes etc.

J: Para.30 of Culley's witness statement. On what basis is that justifying going without notice?

EL: The council's fear is that notifying those defendants would mean other defendants would be notified.

J: What's the basis for that?

EL: There's no hard evidence. These plots are adjacent to each other. The other occupants might see that something's going on.

We'd hoped to be in this morning.

J: What was the delay?

EL: Issues with filing and having the claim accepted. When Ms Tarling went on the site on Friday Mr Jeeves was there. He was removing items from the land. That's a good thing. He was asked to remove the items and he's doing it. But his application was refused on 1 May. Mr Lee moves in on 9 May, just a week later. Where Mr Lee is living is subdivided into three plots which suggests further occupation. He has no planning permission. Planning permission has been refused so what is Mr Jeeves using the land for? Mr Lee says he bought it from someone on Facebook. The council can't find any information on that. There's a feeling of activity and the council feels people may move on to the land quickly.

Those are the reasons for making the application without notice.

J: Tell me what you say otherwise about the merits.

EL: The fear is the use of the land will be changed. On p.35 of the bundle – Mr Culley says at para.23 that there's significant visual harm, incongruous development, harm to the landscape… it's not in a sustainable location. It's four miles away from the nearest village. There is concern regarding highway safety. To give a flavour of how inappropriate development is in this location. Mr Culley's witness statement - he set out the planning history and other planning decisions. That first planning application was made by Mr Jeeves – he sought to change use of land to equestrian … . You can see that was refused on highway safety and natural landscape grounds. Even change of use of land from agricultural to equestrian is considered harmful, let alone mobile homes on the land. The injunction is sought to prevent planning harm.

Mr Culley deals at para.22 with why other enforcement options are not appropriate at this point. The council has other tools but the problem with a stop notice or enforcement notice is that in terms of enforcing refusal to comply it's criminal proceedings. That's lengthy. And the enforcement notice does not ensure that anticipated development is stopped.

If I just go back to each defendant and how the plots are arranged. All plots were in Mr Larter's ownership to begin with. On p.48 are entries … it has now been parcelled up. You can see there is/are apps pending against this title. That also increases the council's fears - could there be other sales that have been made? Plot 1 has been subdivided into three now. On plot 1a development has already taken

place. The council fears further development to facilitate further residential use on site. Further works have taken place this weekend despite being told to cease – this shows disregard. It fortifies the council's views about his further intentions.

The photograph on p.75 – that's extensive fencing. Not just post and rail fencing to delineate where the plots start and end. That is significant fencing.

On p.76 - hardcore and the pipes can be seen.

J: So this is Mr Lee's?

EL: Yes. This is the work he's undertaken without planning permission. More hardcore can be seen. On p.81 - the extent of the hardcore and mobile home. The extent of the fencing. Described as suburban fencing. The extent of hardcore and fencing - it's high fencing. Just to close off this point, if I take you back to p.37 - Mr Culley tells the court plot 1a has been subdivided into 3 parcels - council has real fears about further occupation.

So those are the concerns in respect of plot 1a. Mr Larter being owner of plot 1a, Mr lee being occupier as far as the council knows on at least part of plot 1a. In terms of Jeeves can I take you to p.53.

J: Yes

EL: Mr Jeeves paid £138k for that plot. There is hardstanding on that site which Ms Tarling says has been there for some time. Mr Jeeves no doubt if he was present would say he's complying with the council's request to tidy his site.

If my Lord goes to the last photograph on p.85 that is Jeeves's site. You can just about make out the horse, there's a trailer there. My instructions are there is a sceptic tank. That caused concern to the council but Jeeves has removed that. However his planning application for equestrian use was refused only two weeks ago. What can he now use that land for?

J: He's entitled to sell his land.

EL: He is absolutely. The fear is it may be sold to other gypsy families next door. Mr Larter – there's been no contact. The fears are this is all in Mr Larter's ownership. There have been sales, there's been activity, there's been unlawful development. That's the council's fear. Once occupation is taken up, considerable resources are needed to attempt to enforce. What the injunction seeks is to stop the defendants from doing what they are not allowed to do.

That deals with the named defendants.

Regarding persons unknown, the recent UK Supreme Court judgment is discussed in my skeleton argument. The criteria are met in my submission. To ensure full and frank discloser has been made - the council does have a duty to maintain a five year supply of pitches. It has a 3.2 year supply. If Mr Lee were here today he would no doubt say there isn't enough supply. The council has been careful to make criteria based policy. H9.

If gypsies and travellers need land they can make an application in normal way. They have been found to be sound criteria in council's local plan. Mr Lee has failed to do that.

J: Other than subdividing land, what has Mr Larter done?

EL: Mr Larter owns all of plot 1a and that land has been subdivided which in the councils view is highly likely to lead to occupation. The other concerns come from Ms Tarling's witness statement. He is known to the council. The council's position is that he does demonstrate a disregard for planning control. As we saw, the applications pending against his title - it's not known where they may sit at the moment.

… Mr Jeeves has said he has no intention of occupying but Mr Larter has already sold land to Mr Lee.

The council is preparing enforcement notices in respect of the hardstanding Mr Jeeves placed on plot 2, and also in respect of Mr Lee but that is the mechanism by which council achieves restitution as opposed to cessation of activity on the land.

Considering the test in *American Cyanamid* – There is a serious issue to be tried given planning breaches already taken place. The balance of convenience lies in favour of the local authority, and damages are not an adequate remedy.

The council needs the injunction to ensure harmful works are not undertaken on the land.

One final point to make is that it's become clear to me through the discussion in court that the court may become concerned about the defendants …

The court can consider a smaller red line.

J: I'm not going to criticise you for adopting a fallback position. Why 14 days [in the draft order]?

EL: Often in these injunctions I have put a 7-day return date. It might take them, especially Mr Lee, some time to find representation. Then there's the bank holiday Monday. Bank holiday weekends are notoriously used for unlawful occupation to take place. Mr Culley is not available immediately after bank holiday weekend.

J: The difficulty is it's the vacation period. Your submission is that a week would not be long enough?

EL: That's often been my experience but if the defendants didn't have time they could also apply for the return date to be extended.

J: Is there any thing else?

El: No those are my submissions.

J: I will give relief against Mr Lee and Mr Love and persons unknown. Not against the others.

Judgment delivered ex-tempore

Judgment

I grant relief against Larter, Lee and Persons Unknown (PU), not against Jeeves and Love.

Reasons

The Claimant is the local council and local planning authority for land at church road, kilndown, Cranbrook.

Seeks without notice injunctive relief in respect of that land in respect of 4 named individuals and persons unknown. Contends that taken place and potentially will take place breaches of planning control
Seeks relief s.187B TCPA 1990

The land is in the open countryside. It is established as land of sensitivity itself and more sig close to other areas of greater national sens and as such is highly protected under the planning legislation.
The claimant has been caused to seek relief by combination of number of actions.
Registered in ownership of Larter but has been sub divided and he has disposed of ownership of 4 plots so total of 5 plots. In particular plots 1a, 1b, 2, 3 and there has been activity on at least plot 1a with the introduction on to that plot of a caravan occupied by Mr Lee the 4th def and his family and the laying of hardstanding and erection of substantial fencing consisted of concrete base and fence panels attached. In addition hardstanding on other parts of the land.

Nec to look at the position of defendants separately.

Mr Larter is registered as all of the land but has sold parts of it. It is said that he is a man with history of disregard of planning leg and ref made to Ms Tarling WS in relation to behaviour at sites. I have to treat her characterisation with considerable reservation. It is in strong terms and save for the fact that it indicates a PCN served in June last year in respect of other land is not supported by underlying material that would have been helpful. That said, it is apparent that Mr Lee has sold off, hardstanding has appeared and Mr Lee moved on to part.

The second defendant is Mr Love is the owner of plot 3. Go back one stage.
As consequence of Mr Larter and Mr Lee the concern is that actions are being taken without planning control but in a manner deliberately to be under radar or steal a march on authority and underlying concern that as appears to have been the case in relation to plot occupied by Mr lee a movement on by G&T caravans with residential occupation taken in this area.

The concern is that Mr Larter is benefitting from or facilitating that conduct.

As I said, Mr Love is 2nd def

He owns plot 3. That is relatively narrow plot and Mr Culley says no activity and no dealings with him but immediately adj to Mr Lee and fear to sell for resi purposes.

Mr Jeeves owns plot 2. He made a planning application in respect of that plot for equestrian purposes. Refused on 1st May. Since then Mr Jeeves has in fact been removing unauthorised items from that land and he has I'm told indicated to the Council he does not intend to reside on it himself. The concern as with Mr Love could be disposed of or those 2 gentlemen could allow others to occupy in the way Mr Lee has.

Mr Lee has moved on to part of plot of 1b which has been subdivided into 3 plots. He describes himself as G&T and moved on with 4 children aged between 2 and 8. Spoken to by Mr C on 12th May. At that stage agreed to carry out no further work other than fencing to protect himself. Continued to erect fencing but appears hardstanding appeared.

Relief against persons unknown. The concern being that GTs and or others will move on to or develop this site.

First thing to consider is whether relief given on a WN basis.

The Claimant seeks relief on that basis against all defendants.

Mr L and L fear that if notice given further action or Mr L cause other s to come on to the land.

Not put in those terms against L and J – concern is that they would either deliberately or inadvertently alert Mr L and L to what going on. They could sell their land but selling land is a lawful occupation and fact that they choose to get out of awkward legal situation is not something the court could castigate. In reality unlikely t be sold in such short order as to abrogate at least giving some notice.

As said, granting relief without notice draconian and should only happen when gen nec.

Not persuaded WN relief needed against Love or Jeeves and not granting relief on that basis against them.

Not ruling on whether if application with notice made I or other judge might find merit but the pre-req for draconian step not been made out.

Satisfied that in Larter and Lee and PU there is sufficient risk of action to forestall to warrant without notice application.

Next issue is whether relief should be granted.

Approach is American Cyanamid modified appropriate to circumstances here.

Has a serious issue been shown, would damages be an adequate remedy and where does balance of conv lie?

Claimant public body with obligations to enforce law and the HR considerations of residents. Satisfied that a serious issue to be tried has been shown in respect of potential breaches of the planning leg and sufficient concern to show a risk of continuation and or further development of such breaches. It's apparent damages not an adequate remedy here and procedure through planning enf is less than ideal solution in circumstances where harm can be done to highly sensitive sites with the risk of the harm being even if reparable to a degree then not entirely reparable.

Initially concerned about plot occupied by Mr Lee and family. Helpfully pointed out that relief is not to at this stage to remove him from the plot.

I have regard to the need to recognise the interests of those from the G& T community, but I am satisfied that at least at interim relief those interests do not arise on this highly sensitive site.

Accordingly follows that relief against Larter and Lee and PU appropriate. PU bec I'm persuaded that at least for this app sufficient risk that others move on in same way as Lee and Larter and Lee sufficient risk of encouraging and or facilitating such conduct.

Reasons why grant relief but not against Love and Jeeves.

Let's look then at the order ms lambert.

Mrr love and jeeves come out. Area of land will need to be drawn. Land edged blue is lee's plot isn't it?

EL : Yes.

J:

Is there anything in terms of the order which I haven't already picked up which is out of the ordinary?

EL: No.

J: In terms of the return date, our choice is this ms lambert. Between fri 23rd or sometime 4 of june onwards. I think I'm going to have to say sooner rather than later. So return date 23 of may. Time estimate?

El: 2 hours to allow for time in case both sides are represented?

J: Yes.

El: my lord obviously those amendments will be made. Your lordship's name inserted as well. I'm not sure … I haven't' been able to check whether we have a claim number yet. … the plan will be amended that will come through with the order as well.

How much time do we have to send it through? The Council wants to serve today.

J: Provided it reflects those amendments I don't' need to see it again but it will need to be amended before being sealed and I will leave the associate to liaise with you on that. You'll have to serve your note of my reasons.

EL: My pupil sitting behind me has been taking a careful note and that will be served with the pack

J: It will have to be served to Jeeves and love as well. It will have to be made abundantly clear that the order does not apply to them. The draft order will not only have to be accompanied by my note but their names also need to come out of the penal notice.

They will be notified as parties to the claim but not subject to the injunction.

El: yes my lord.

Ended at 16:48

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Name of court In the High Court, King's Bench Division	**Claim no.** KB-2025-001739
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
	H W F - ___ - ___
Warrant no. (if applicable)	
Claimant's name (including ref.) Tunbridge Wells Borough Council	
Defendant's name (including ref.) (1) Bill Lee (2) Bill Leonard Lee (3) Wesy Lee (4) Roy Draper (5) Albie Wilkins (6) Persons Unknown	
Date	20 May 2025

COURT OF JUSTICE 20 May 2025 QUEEN'S BENCH DIVISION KB-2025-001812

1. What is your name or, if you are a legal representative, the name of your firm?

   Ivy Legal Limited

2. Are you a ☐ Claimant ☐ Defendant ☑ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent? Claimant

3. What order are you asking the court to make and why?

   The Claimant is seeking the continuation of the Injunction Order of Mr Justice Eyre dated 16 May 2025 against D1 and D6 and an Injunction Order against D2, D3, D4 and D5 for the reasons set out in the evidence.

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☑ at a hearing ☐ without a hearing ☐ at a remote hearing

6. How long do you think the hearing will last? 2 Hours 00 Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☑ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need? High Court Judge

9. Who should be served with this application? The Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- [x] the attached witness statement
- [ ] the statement of case
- [ ] the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☑ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☑ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Ivy Legal Limited

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☑ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
2 0	0 5	2 0 2 5

Full name

Izindi Visagie

Name of applicant's legal representative's firm

Ivy Legal Limited

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

4th Floor, 33 Cannon Street

Second line of address

Town or city

London

County (optional)

Postcode

E	C	4	M	5	S	B

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Tunbridge Wells/Kilndown

Email

enforcement@ivylegal.co.uk

Statement on behalf of the
Claimant
Witness: Heather Stevens
1st Statement
Dated: 22.05.2025
Exhibits: HS/1 - HS/6

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

WITNESS STATEMENT OF HEATHER STEVENS

I, Heather Stevens, Team Leader (Contentious) for Mid Kent Legal Services, will say as follows:

1. I make this statement in support of the Claimant's claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990. I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. On Saturday 17 May 2025 at approximately 11:50am, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague Jo Smith, Senior Lawyer (Planning) for Mid Kent Legal Services and Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council.

3. As we entered the Land, we saw three males looking at Temporary Stop Notices that had the previous day been affixed to the gate that enters the woods to the east of the Land. We called down to the males and explained that we were looking for Mr Bill Lee.

4. One of the males identified himself as Mr Lee and I served him with a copy of the unsealed Interim Injunction Order with accompanying documents, namely: a covering letter, the note of hearing on 16 May 2025 and hearing bundle, containing the skeleton argument for the interim application, an unsealed claim form with details of the claim, the application notice for 16 May 2025, the draft injunction order and draft plan, as well as the witness statement of Andrew Culley with exhibits AC/1 to AC/8 and the witness statement of Leanne Tarling.

5. I then informed Mr Lee of the terms of the Penal Notice contained within the Injunction, namely that if the Injunction was breached, he could be fined or sent to prison. Mr Lee asked us how long the Injunction Order would last for. I explained that there was a return date of 23 May 2025, being the following Friday, and that he should attend Court.

6. Mr Lee asked what it was he could not do on the Land and he was told there should be no more development, including that no additional caravans (to the one that is already there) should be brought onto the Land.

7. Mr Lee then said, *"They know I'm putting one more on, cos I put in for my licence for two."*

8. Jo Smith asked Mr Lee if he was referring to another static mobile home and Mr Lee said *"Yeah"* and that *"It is too late as I have paid for it, it is coming down next Saturday or Sunday".* We confirmed with Mr Lee that he was referring to the weekend of 24 May 2025.

9. I told Mr Lee that bringing an additional caravan onto the Land would put him in breach of the Injunction Order. I advised Mr Lee to get independent legal advice and told him again that he could be fined or sent to prison for bringing another caravan onto the Land. I read out the specific terms of the Injunction Order, so that Mr Lee was aware he must not bring onto the Land any additional caravans/mobile homes and that he must not build or bring on any structures.

10. Mr Lee responded by saying *"What do I do now? Because I have paid for it and it's going to come and I cannot stop it".* I said again to Mr Lee to get legal advice because the Council knows there is currently only one mobile home on the land and any additional caravans would be considered by the Council to be a breach of the Injunction.

11. Mr Lee asked for confirmation that the hearing would be on Friday and we explained the hearing would be at the High Court in London and that it was in his interests to attend the hearing.

12. I then explained that we would be serving other parts of the Land with the unsealed Injunction Order and accompanying documents (as detailed in paragraph 4 above) and I showed Mr Lee the plan attached to the Order.

13. One of the other two males then identified himself as Mr Keith Jeeves and I served him with a copy of the unsealed Injunction Order and accompanying documents (as detailed in paragraph 4 above) and explained that it was for information only as the Order did not include the land that he owned.

14. We then served additional copies of the unsealed Injunction Order at the following places:

    a) To Mr Michael Larter: on a gate that leads to the field to the east of Mr Lee's plot and on a gate that leads to a field to the south of Mr Jeeves' plot (both under title number K871684).
    b) To Mr Curtis Love (for information only): on a fence post at the entrance to the plot that he owns (under title number TT171000).
    c) To Persons Unknown: on a gate along Church Road at the north end of the Land.

15. In addition, Jo Smith served Enforcement Notices on Mr Bill Lee and Mr Keith Jeeves in person, as well as on the Land in various locations.

16. Andrew Culley took photographs of the Land and the copies of the unsealed Injunction Order with accompanying documents and Enforcement Notices in situ on the Land. We left the Land at approximately 12:45pm.

17. On 19 May 2025, the Claimant's website was updated to show (on its planning enforcement page: https://tunbridgewells.gov.uk/planning/enforcement) details of the application for the Injunction Order, with a link to documents including: the sealed Injunction Order, the Note of the Hearing and the Bundle for the hearing that took place on 16 May 2025.

18. On 20 May 2025, the Claimant's instructed solicitor, Ivy Legal Limited, received an email from VP Legal Solicitors, acting for Mr Larter, with copies of four TP1 applications to HM Land Registry. The details contained within the TP1s are as follows:

a) 4 September 2024: K871684 transfer from Michael Larter to Roy Christopher Draper of Hill View, Meadow Lane, Wickford, Essex, SS11 7DX for £20,000. I exhibit this TP1 and plan as HS/1.
b) 4 September 2024: K871684 transfer from Michael Larter to Wesy Bill Wally Lee of Four Oaks, Church Hill, Boughton Monchelsea, Maidstone, Kent, ME17 4BU for £18,000. I exhibit this document as HS/2.
c) 29 October 2024: K871684 transfer from Michael Larter to Albie John Wilkins of Hawksbill, Mornley Lane, Bicker, PE20 3DP for £25,000. I exhibit this TP1 and plan as HS/3.
d) 4 November 2024: K871684 transfer from Michael Larter to Bill Lee and Bill Leonard Lee of Four Oaks, Church Hill, Boughton Monchelsea, Maidstone, Kent, ME17 4BU for £35,000. I exhibit this TP1 and plan as HS/4.

19. An officer of the Claimant subsequently produced a plan showing the ownership details according to the above TP1s and plans. I exhibit this plan as HS/5.

20. On 21 May 2025, Ivy Legal Limited sent an email on behalf of the Claimant to VP Legal Solicitors, confirming that a continuation of the injunction would not be sought against Mr Larter. VP Legal Solicitors responded on the same day confirming that they had advised their client accordingly. I exhibit the three emails of 20 and 21 May between Ivy Legal Limited and VP Legal Solicitors as HS/6.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *Heather Stevens*

Dated: 22 May 20205

Statement on behalf of the
Claimant
Witness: Heather Stevens
1st Statement
Dated: 21.05.2025
Exhibits: HS/1 - HS/6

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

EXHIBITS OF HEATHER STEVENS

HS/1

HM Land Registry
Transfer of part of registered title(s)

TP1

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

For information on how HM Land Registry processes your personal information, see our Personal Information Charter.

Leave blank if not yet registered.	1 Title number(s) out of which the property is transferred: K871684
When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.	2 Other title number(s) against which matters contained in this transfer are to be registered or noted, if any:
Insert address, including postcode (if any), or other description of the property transferred. Any physical exclusions, such as mines and minerals, should be defined. Place 'X' in the appropriate box and complete the statement. For example 'edged red'. For example 'edged and numbered 1 in blue'. Any plan lodged must be signed by the transferor.	3 Property: Land (known as plot 2) on the south east side of Church Road, Kilndown, Cranbrook, Kent The property is identified X on the attached plan and shown: edged red ☐ on the title plan(s) of the above titles and shown:
Remember to date this deed with the day of completion, but not before it has been signed and witnessed.	4 Date: 4th September 2024
Give full name(s) of **all** of the persons transferring the property. Complete as appropriate where the transferor is a company. Enter the overseas entity ID issued by Companies House for the transferor pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'. Further details on overseas entities can be found in practice guide 78: overseas entities.	5 Transferor: MICHAEL LARTER For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix: For overseas entities (a) Territory of incorporation or formation: (b) Overseas entity ID issued by Companies House, including any prefix: (c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

Give full name(s) of **all** the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with HM Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Enter the overseas entity ID issued by Companies House for the transferee pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in practice guide 78: overseas entities.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 12.

Place 'X' in any box that applies.

Add any modifications.

6 Transferee for entry in the register:
ROY CHRISTOPHER DRAPER

For UK incorporated companies/LLPs
Registered number of company or limited liability partnership including any prefix:

For overseas entities
(a) Territory of incorporation or formation:

(b) Overseas entity ID issued by Companies House, including any prefix:

(c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

7 Transferee's intended address(es) for service for entry in the register:

Hill View, Meadow Lane, Wickford, Essex SS11 7DX

8 The transferor transfers the property to the transferee

9 Consideration

☒ The transferor has received from the transferee for the property the following sum (in words and figures): twenty thousand pounds (£20,000)

☐ The transfer is not for money or anything that has a monetary value

☐ Insert other receipt as appropriate:

10 The transferor transfers with

☒ full title guarantee

☐ limited title guarantee

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:
- an 'X' is placed:
  - in the first box, or
  - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, *or*
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and practice guide 24: *private trusts of land* for further guidance. These are both available on the GOV.UK website.

Use this panel for:
- definitions of terms not defined above
- rights granted or reserved
- restrictive covenants
- other covenants
- agreements and declarations
- any required or permitted statements
- other agreed provisions.

The prescribed subheadings may be added to, amended, repositioned or omitted.

Any other land affected by rights granted or reserved or by restrictive covenants should be defined by reference to a plan.

11 Declaration of trust. The transferee is more than one person and

☐ they are to hold the property on trust for themselves as joint tenants

☐ they are to hold the property on trust for themselves as tenants in common in equal shares

☐ they are to hold the property on trust:

12 Additional provisions

1. Definitions

In this transfer:

Accessway: the accessway to the Property over that part of the Transferor's Retained Land shown shaded brown on the Plan
Charge: the charge dated 26 January 2024 appearing at entry number 3 of the charges register of title number K871684 as at 13 July 2024 at 11:15:10.
Conditions for Entry: the conditions to which any right to enter granted in Clause 3 or excepted and reserved by Clause 4 is subject, namely that the right shall be subject to the person exercising the right:

a) effecting entry at a reasonable time (or at any time in an emergency);
b) causing as little damage as possible to the premises being entered and promptly making good any damage caused to the reasonable satisfaction of the person whose premises are being entered; and
c) complying with all reasonable requirements of the person whose premises are being entered in relation to the exercise of the right of entry.

Completion: The date of this Transfer.
Plan: means the plan annexed to this Transfer
Relevant Authority: all statutory corporations, local or other authorities and all bodies exercising statutory rights, powers or obligations, which will include but not be limited to highway, planning, drainage, water, electricity, gas and telecommunications suppliers and any other authority, body or company to which the powers of such authority, body or company are delegated.
Reservations: the rights excepted and reserved to the Transferor in clause 4.
Rights: the rights granted by the Transferor to the Transferee in clause 3.

Service Media: means the conduits and equipment used for the reception, generation, passage and/or storage of Utilities.
Transferor's Retained Land: The freehold property being the remainder of the land (excluding the Property) in title K871684
Utilities means: electricity, gas, water, foul water and surface drainage, signals, electronic communications and all other utilities.

1.2 Any obligation in this transfer on the Transferee not to do something includes an obligation not to permit or allow that thing to be done and an obligation to use reasonable endeavours to prevent that thing being done by another person

1.3 A person includes a corporate or unincorporated body (whether or not having separate legal personality)

1.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural include the singular

1.5 Clause headings shall not affect the interpretation of this transfer

1.6 Any words following the terms including, include, in particular, for example or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms

1.7 Where the Transferor and/or Transferee is more than one person, unless otherwise expressly provided in this deed, they shall be jointly and severally liable for their respective obligations arising under this deed.

1.8 **"Transferee"** shall include where the context so admits the successors in title of the Transferee and where the Transferee is more than one person all covenants and agreements on the part of the Transferee contained in this deed shall be deemed to have been made jointly and severally by all such persons constituting the Transferee

1.9 **"Transferor"** shall include where the context so admits the successors in title of the Transferor and where the Transferor is more than one person all covenants and agreements on the part of the Transferor contained in this deed shall be deemed to have been made jointly and severally by all such persons constituting the Transferor

1.10 A reference to a statute, statutory provision or subordinate legislation is a reference to it as it is in force from time to time taking account of any amendment or re-enactment.

2.1 The disposition effected by this transfer is subject to:

(a) any matters contained or referred to in the entries or records made in registers maintained by the Land Registry as at 13th July 2024 under title number K871684;
(b) any matters discoverable by inspection of the Property before Completion
(c) any matters which the Transferor does not and could not reasonably know about
(d) any matters disclosed or which would have been disclosed by the searches and enquiries which a prudent buyer would have made before entering into a contract for the purchase of the Property;
(e) any notice, order or proposal given by a body acting on statutory authority; and
(f) any matters which are unregistered interests which override registered dispositions under Schedule 3 to the Land Registration Act 2002.

2.2 All matters recorded at the date of this Transfer in registers open to public inspection, are deemed to be within the actual knowledge of the Transferee for the purposes of section 6(2)(a) of the LPMPA 1994, notwithstanding section 6(3) of the LPMPA 1994

2.3 This transfer does not create by implication any easements or other appurtenant rights for the benefit of the Property and the operation of section 62 of the Law of Property Act 1925 is excluded.

2.4 no right of light or air is granted

2.5 All boundary structures erected on the Property will be the sole responsibility of the Transferee and maintained in a good condition in perpetuity.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

3. Rights granted for the benefit of the Property

There is granted for the benefit of the Property the following rights (which shall be construed as extending to the Transferee and his successors in title) and subject to the Transferee complying with the Conditions for Entry:

3.1 the right of access at all times and for all purposes with or without vehicles over the Accessway

3.2 the right of passage of Utilities through the Service Media serving the Property which are now or in the future installed on in over or under the Accessway

3.3 full and free right in fee simple to make connections into and to use all Service Media now or to be made or laid in, under or over the Accessway

3.4 the right of support and protection to the Property and any building on the Property from the Transferor's Retained Land

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

4. Rights reserved for the benefit of the Transferors Retained Land

There is reserved out of the Property for the benefit of each and every part of the Transferor's Retained Land or any part of it the following rights (which shall be construed as extending to the Transferor, its successors in title and all persons authorised by them or otherwise entitled to exercise the Reservations) and subject to the Transferor complying with the Conditions for Entry:

4.1 the right of support and protection for the Transferors Retained Land from the Property

4.2 the right with or without employees and workmen at all reasonable times and on reasonable notice to enter onto the unbuilt parts of the Property in connection with any of the reserved rights including for the purpose of repairing, cleaning, maintaining and constructing or renewing any part of the Transferors Retained Land where those works cannot otherwise be conveniently or effectively carried out

4.3 the right of passage of Utilities through the Service Media serving the Transferor's Retained Land which are now or in the future installed on in over or under the Property

4.4 full and free right in fee simple to make connections into and to use all Service Media now or to be made or laid in, under or over the Property

4.5 the right with or without employees and workmen at all reasonable times and on reasonable notice to enter onto the unbuilt parts of the Property in connections with any of

the reserved rights including for the purpose of repairing, cleaning, maintaining and constructing or renewing any part of the Transferor's Retained Land where those works cannot otherwise be conveniently or effectively carried out

5. Indemnity Covenant

The Transferee covenants by way of indemnity only, on the Transferee's behalf and on behalf of the Transferee's successors in title, to observe and perform the charges, incumbrances, covenants and restrictions contained or referred to in the property and charges register of Title K871684 in so far as they are subsisting and capable of taking effect in respect of the Property and shall keep the Transferor indemnified against all proceedings, costs, claims and expenses arising from any future failure to do so

6. Agreements and Declarations

6.1 A person who is not a party to this transfer shall not have any rights under or in connection with it by virtue of the Contracts (Rights of Third Parties) Act 1999

6.2. This deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 11 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to *Joint property ownership* and practice guide 24: *private trusts of land* for further guidance.

Examples of the correct form of execution are set out in practice guide 8: execution of deeds. Execution as a deed usually means that a witness must also sign, and add their name and address.

Remember to date this deed in panel 4.

13 Execution

EXECUTED as a deed by the parties and delivered on the date set out at the beginning of this deed.

Signed as a deed by MICHAEL LARTER in the presence of:) M. Larter
)

Signature

Signature of witness

Name (in BLOCK CAPITALS)

Address

Richard Long
15 St Lawrence Avenue, Bidborough
Tunbridge Wells, Kent TN4 0XA
Solicitor Tel: 01892 362260

Signed as a deed by ROY CHRISTOPHER DRAPER in the presence of:) R DRAPER
)

Signature

Signature of witness

Name (in BLOCK CAPITALS) LEONIE SAVORY

Address

GRIFFIN LAW
60 Churchill Square
Kings Hill
West Malling
Kent
ME19 4YU

WARNING
If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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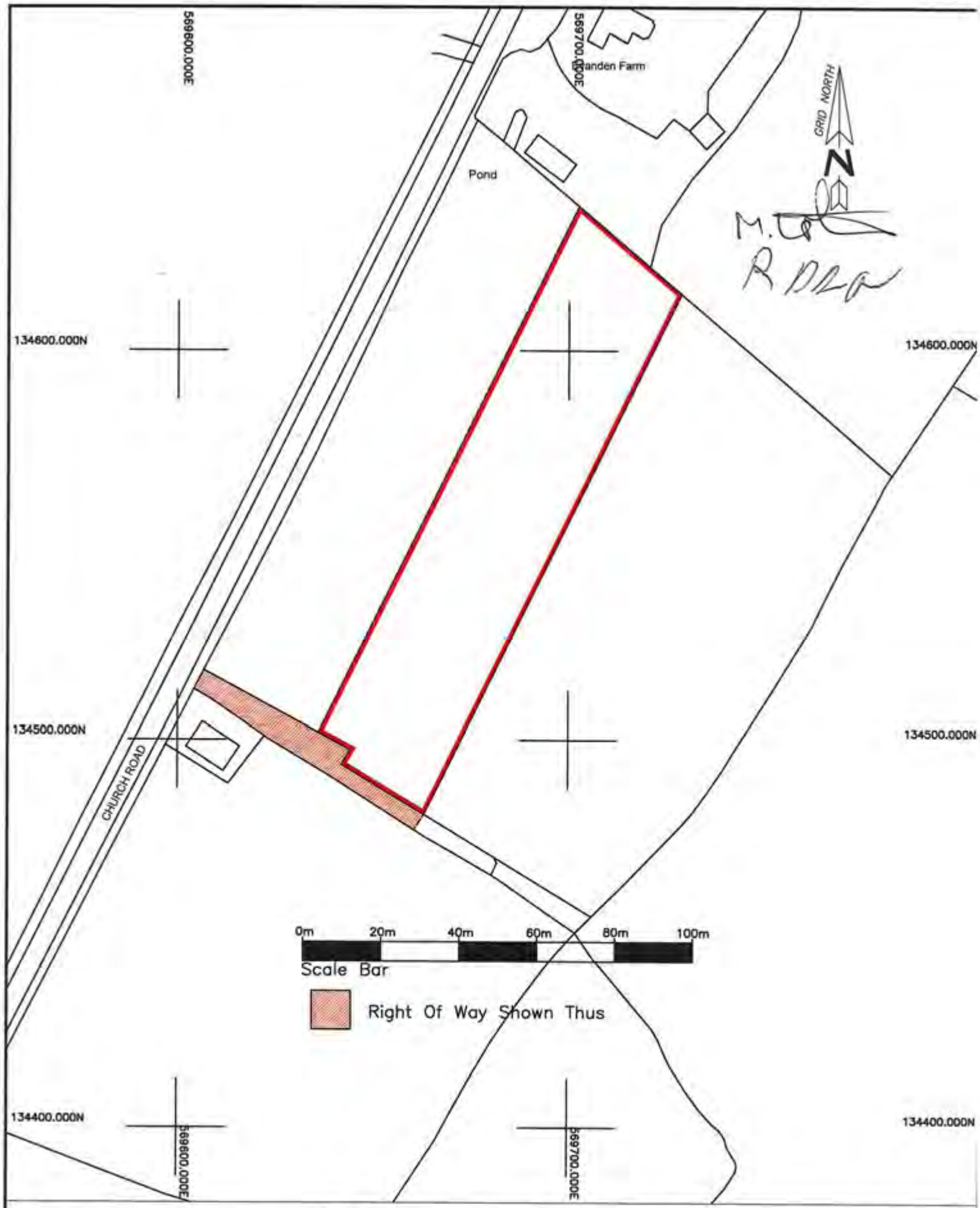

Status: SURVEY DRAWINGS	Site Address: Land To East Of Church Road, Flimwell, East Sussex	Drawing No.: 2024-1489-010-Survey Plan	Rev: 000000
SJM SURVEYS The Old Granary, Sheffill Farm, Groaf Hatch Road, East Peckham, Tonbridge, Kent, TN12 5EE T. 01892 862268 E. enquiries@sjmplanning.com www.sjmplanning.com	Drawing Title: Land To East Of Church Road - Plot 2		
Client: Mr Michael Larter	Scale: 1:1250 @ A4 / Date: 11/07/2024	Drawn: TDH	

Statement on behalf of the
Claimant
Witness: Heather Stevens
1st Statement
Dated: 21.05.2025
Exhibits: HS/1 - HS/6

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

EXHIBITS OF HEATHER STEVENS

HS/2

HM Land Registry
Transfer of part of registered title(s)

TP1

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

For information on how HM Land Registry processes your personal information, see our Personal Information Charter.

Leave blank if not yet registered.	1 Title number(s) out of which the property is transferred: K871684
When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.	2 Other title number(s) against which matters contained in this transfer are to be registered or noted, if any:
Insert address, including postcode (if any), or other description of the property transferred. Any physical exclusions, such as mines and minerals, should be defined. Place 'X' in the appropriate box and complete the statement. For example 'edged red'. For example 'edged and numbered 1 in blue'. Any plan lodged must be signed by the transferor.	3 Property: Land (known as plot 3) on the south east side of Church Road, Kilndown, Cranbrook, Kent The property is identified X on the attached plan and shown: edged red ☐ on the title plan(s) of the above titles and shown:
Remember to date this deed with the day of completion, but not before it has been signed and witnessed.	4 Date: 4th September 2024
Give full name(s) of **all** of the persons transferring the property. Complete as appropriate where the transferor is a company. Enter the overseas entity ID issued by Companies House for the transferor pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'. Further details on overseas entities can be found in practice guide 78: overseas entities.	5 Transferor: MICHAEL LARTER For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix: For overseas entities (a) Territory of incorporation or formation: (b) Overseas entity ID issued by Companies House, including any prefix: (c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

Give full name(s) of **all** the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with HM Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Enter the overseas entity ID issued by Companies House for the transferee pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in practice guide 78: overseas entities.

6 Transferee for entry in the register:
WESY BILL WALLY LEE

For UK incorporated companies/LLPs
Registered number of company or limited liability partnership including any prefix:

For overseas entities
(a) Territory of incorporation or formation:

(b) Overseas entity ID issued by Companies House, including any prefix:

(c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

7 Transferee's intended address(es) for service for entry in the register:

Four Oaks, Church Hill, Boughton Monchelsea, Maidstone Kent ME17 4BU

8 The transferor transfers the property to the transferee

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 12.

9 Consideration

☒ The transferor has received from the transferee for the property the following sum (in words and figures): Eighteeen thousand pounds (£18,000)

☐ The transfer is not for money or anything that has a monetary value

☐ Insert other receipt as appropriate:

Place 'X' in any box that applies.

Add any modifications.

10 The transferor transfers with

☒ full title guarantee

☐ limited title guarantee

Where the transferee is more than one person, place 'X' in the appropriate box.

11 Declaration of trust. The transferee is more than one person and

☐ they are to hold the property on trust for themselves as joint tenants

☐ they are to hold the property on trust for themselves as tenants in common in equal shares

☐ they are to hold the property on trust:

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:
- an 'X' is placed:
  - in the first box, or
  - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, *or*
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

Use this panel for:
- definitions of terms not defined above
- rights granted or reserved
- restrictive covenants
- other covenants
- agreements and declarations
- any required or permitted statements
- other agreed provisions.

The prescribed subheadings may be added to, amended, repositioned or omitted.

Any other land affected by rights granted or reserved or by restrictive covenants should be defined by reference to a plan.

12 Additional provisions

1. Definitions

In this transfer:

Accessway: the accessway to the Property over that part of the Transferor's Retained Land shown shaded brown on the Plan
Charge: the charge dated 26 January 2024 appearing at entry number 3 of the charges register of title number K871684 as at 13 July 2024 at 11:15:10.
Conditions for Entry: the conditions to which any right to enter granted in Clause 3 or excepted and reserved by Clause 4 is subject, namely that the right shall be subject to the person exercising the right:

a) effecting entry at a reasonable time (or at any time in an emergency);
b) causing as little damage as possible to the premises being entered and promptly making good any damage caused to the reasonable satisfaction of the person whose premises are being entered; and
c) complying with all reasonable requirements of the person whose premises are being entered in relation to the exercise of the right of entry.

Completion: The date of this Transfer.
Plan: means the plan annexed to this Transfer
Relevant Authority: all statutory corporations, local or other authorities and all bodies exercising statutory rights, powers or obligations, which will include but not be limited to highway, planning, drainage, water, electricity, gas and telecommunications suppliers and any other authority, body or company to which the powers of such authority, body or company are delegated.
Reservations: the rights excepted and reserved to the Transferor in clause 4.
Rights: the rights granted by the Transferor to the Transferee in clause 3.

Service Media: means the conduits and equipment used for the reception, generation, passage and/or storage of Utilities.
Transferor's Retained Land: The freehold property being the remainder of the land (excluding the Property) in title K871684
Utilities means: electricity, gas, water, foul water and surface drainage, signals, electronic communications and all other utilities.

1.2 Any obligation in this transfer on the Transferee not to do something includes an obligation not to permit or allow that thing to be done and an obligation to use reasonable endeavours to prevent that thing being done by another person

1.3 A person includes a corporate or unincorporated body (whether or not having separate legal personality)

1.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural include the singular

1.5 Clause headings shall not affect the interpretation of this transfer

1.6 Any words following the terms including, include, in particular, for example or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms

1.7 Where the Transferor and/or Transferee is more than one person, unless otherwise expressly provided in this deed, they shall be jointly and severally liable for their respective obligations arising under this deed.

1.8 **"Transferee"** shall include where the context so admits the successors in title of the Transferee and where the Transferee is more than one person all covenants and agreements on the part of the Transferee contained in this deed shall be deemed to have been made jointly and severally by all such persons constituting the Transferee

1.9 **"Transferor"** shall include where the context so admits the successors in title of the Transferor and where the Transferor is more than one person all covenants and agreements on the part of the Transferor contained in this deed shall be deemed to have been made jointly and severally by all such persons constituting the Transferor

1.10 A reference to a statute, statutory provision or subordinate legislation is a reference to it as it is in force from time to time taking account of any amendment or re-enactment.

2.1 The disposition effected by this transfer is subject to:

(a) any matters contained or referred to in the entries or records made in registers maintained by the Land Registry as at 13th July 2024 under title number K871684;
(b) any matters discoverable by inspection of the Property before Completion
(c) any matters which the Transferor does not and could not reasonably know about
(d) any matters disclosed or which would have been disclosed by the searches and enquiries which a prudent buyer would have made before entering into a contract for the purchase of the Property;
(e) any notice, order or proposal given by a body acting on statutory authority; and
(f) any matters which are unregistered interests which override registered dispositions under Schedule 3 to the Land Registration Act 2002.

2.2 All matters recorded at the date of this Transfer in registers open to public inspection, are deemed to be within the actual knowledge of the Transferee for the purposes of section 6(2)(a) of the LPMPA 1994, notwithstanding section 6(3) of the LPMPA 1994

2.3 This transfer does not create by implication any easements or other appurtenant rights for the benefit of the Property and the operation of section 62 of the Law of Property Act 1925 is excluded.

2.4 no right of light or air is granted

2.5 All boundary structures erected on the Property will be the sole responsibility of the Transferee and maintained in a good condition in perpetuity.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

3. Rights granted for the benefit of the Property

There is granted for the benefit of the Property the following rights (which shall be construed as extending to the Transferee and his successors in title) and subject to the Transferee complying with the Conditions for Entry:

3.1 the right of access at all times and for all purposes with or without vehicles over the Accessway

3.2 the right of passage of Utilities through the Service Media serving the Property which are now or in the future installed on in over or under the Accessway

3.3 full and free right in fee simple to make connections into and to use all Service Media now or to be made or laid in, under or over the Accessway

3.4 the right of support and protection to the Property and any building on the Property from the Transferor's Retained Land

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

4. Rights reserved for the benefit of the Transferors Retained Land

There is reserved out of the Property for the benefit of each and every part of the Transferor's Retained Land or any part of it the following rights (which shall be construed as extending to the Transferor, its successors in title and all persons authorised by them or otherwise entitled to exercise the Reservations) and subject to the Transferor complying with the Conditions for Entry:

4.1 the right of support and protection for the Transferors Retained Land from the Property

4.2 the right with or without employees and workmen at all reasonable times and on reasonable notice to enter onto the unbuilt parts of the Property in connection with any of the reserved rights including for the purpose of repairing, cleaning, maintaining and constructing or renewing any part of the Transferors Retained Land where those works cannot otherwise be conveniently or effectively carried out

4.3 the right of passage of Utilities through the Service Media serving the Transferor's Retained Land which are now or in the future installed on in over or under the Property

4.4 full and free right in fee simple to make connections into and to use all Service Media now or to be made or laid in, under or over the Property

4.5 the right with or without employees and workmen at all reasonable times and on reasonable notice to enter onto the unbuilt parts of the Property in connections with any of

the reserved rights including for the purpose of repairing, cleaning, maintaining and constructing or renewing any part of the Transferor's Retained Land where those works cannot otherwise be conveniently or effectively carried out

5. Indemnity Covenant

The Transferee covenants by way of indemnity only, on the Transferee's behalf and on behalf of the Transferee's successors in title, to observe and perform the charges, incumbrances, covenants and restrictions contained or referred to in the property and charges register of Title K871684 in so far as they are subsisting and capable of taking effect in respect of the Property and shall keep the Transferor indemnified against all proceedings, costs, claims and expenses arising from any future failure to do so

6. Agreements and Declarations

6.1 A person who is not a party to this transfer shall not have any rights under or in connection with it by virtue of the Contracts (Rights of Third Parties) Act 1999

6.2. This deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 11 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to *Joint property ownership* and practice guide *24: private trusts of land* for further guidance.

Examples of the correct form of execution are set out in practice guide 8: execution of deeds. Execution as a deed usually means that a witness must also sign, and add their name and address.

Remember to date this deed in panel 4.

13 Execution

EXECUTED as a deed by the parties and delivered on the date set out at the beginning of this deed.

Signed as a deed by MICHAEL LARTER in the presence of:) M.L) .....

Signature

.....

Signature of witness

Name (in BLOCK CAPITALS) Richard Long

Address 15 St Lawrence Avenue, Bidborough Tunbridge Wells, Kent TN4 0XA Solicitor Tel: 01892 362260

WALLY WESY

Signed as a deed by BILL ~~WALY~~ LEE in the presence of:)) .....

Signature

.....

Signature of witness

Name (in BLOCK CAPITALS) LEONIE SAVORY

Address GRIFFIN LAW 60 Churchill Square Kings Hill West Malling Kent ME19 4YU

WARNING
If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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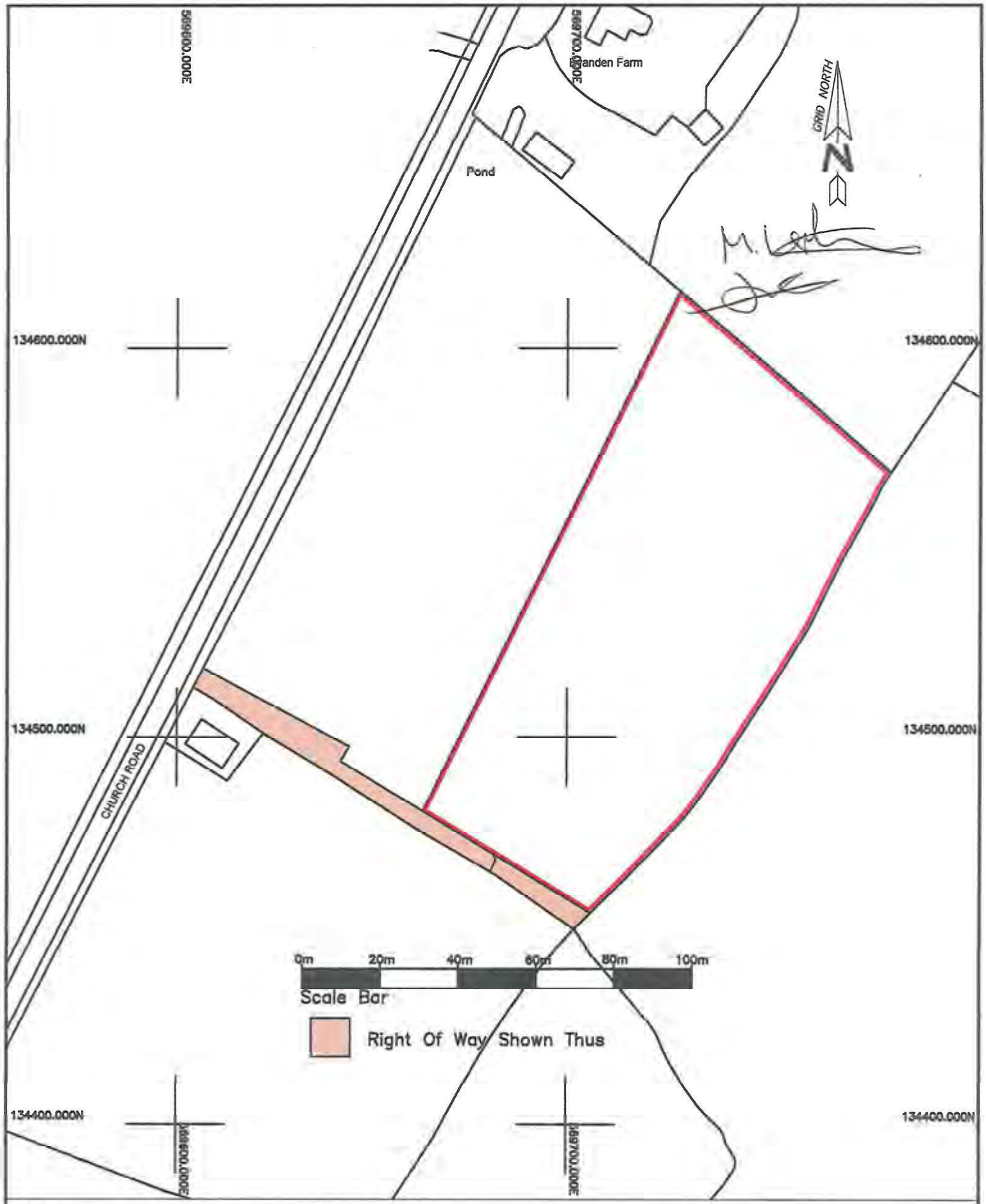

Status: SURVEY DRAWINGS	Site Address: Land To East Of Church Road, Flimwell, East Sussex	Drawing No.: 2024-1489-010-Survey Plan
SJM SURVEYS The Old Granary, Stratt Farm, Snail Hatch Road, East Peckham, Tonbridge, Kent, TN12 5DE T. 01892 882288 E. enquiries@sjmplanning.com www.sjmplanning.com	Drawing Title: Land To East Of Church Road - Plot 3	Rev: 000000
Client: Mr Michael Larter	Scale: 1:1250 @ A4 / Date: 11/07/2024	Drawn: TDH

Statement on behalf of the
Claimant
Witness: Heather Stevens
1st Statement
Dated: 21.05.2025
Exhibits: HS/1 - HS/6

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

EXHIBITS OF HEATHER STEVENS

HS/3

HM Land Registry

Transfer of part of registered title(s)

TP1

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

For information on how HM Land Registry processes your personal information, see our Personal Information Charter.

Leave blank if not yet registered	1 Title number(s) out of which the property is transferred: K871684
When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.	2 Other title number(s) against which matters contained in this transfer are to be registered or noted, if any:
Insert address, including postcode (if any), or other description of the property transferred. Any physical exclusions, such as mines and minerals, should be defined. Place 'X' in the appropriate box and complete the statement. For example 'edged red'. For example 'edged and numbered 1 in blue'. Any plan lodged must be signed by the transferor.	3 Property: LAND ON THE SOUTH EAST SIDE OF CHURCH ROAD KILNDOWN, CRANBROOK TN57PX The property is identified ☒ on the attached plan and shown: EDGED IN RED ☐ on the title plan(s) of the above titles and shown:
Remember to date this deed with the day of completion, but not before it has been signed and witnessed.	4 Date: 29th October 2024
Give full name(s) of all of the persons transferring the property. Complete as appropriate where the transferor is a company. Enter the overseas entity ID issued by Companies House for the transferor pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'. Further details on overseas entities can be found in practice guide 78: overseas entities.	5 Transferor: MICHAEL LARTER For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix: For overseas entities (a) Territory of incorporation or formation: (b) Overseas entity ID issued by Companies House, including any prefix: (c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

Give full name(s) of all the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with HM Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Enter the overseas entity ID issued by Companies House for the transferee pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in practice guide 78: overseas entities.

6 Transferee for entry in the register:

ALBIE JOHN WILKINS

For UK incorporated companies/LLPs
Registered number of company or limited liability partnership including any prefix:

For overseas entities
(a) Territory of incorporation or formation:

(b) Overseas entity ID issued by Companies House, including any prefix:

(c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an email address.

7 Transferee's intended address(es) for service for entry in the register:

HAWKSBILL, MORLEY LANE, BICKER PE20 3DP

8 The transferor transfers the property to the transferee

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 12.

9 Consideration

TWENTY FIVE THOUSAND POUNDS (£25,000)

☒ The transferor has received from the transferee for the property the following sum (in words and figures):

☐ The transfer is not for money or anything that has a monetary value

☐ Insert other receipt as appropriate:

Place 'X' in any box that applies.

Add any modifications.

10 The transferor transfers with

☒ full title guarantee

☐ limited title guarantee

Where the transferee is more than one person, place 'X' in the appropriate box.

11 Declaration of trust. The transferee is more than one person and

☐ they are to hold the property on trust for themselves as joint tenants

☐ they are to hold the property on trust for themselves as tenants in common in equal shares

☐ they are to hold the property on trust:

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:
- an 'X' is placed:
  - in the first box, or
  - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, *or*
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

Use this panel for:
- definitions of terms not defined above
- rights granted or reserved
- restrictive covenants
- other covenants
- agreements and declarations
- any required or permitted statements
- other agreed provisions.

The prescribed subheadings may be added to, amended, repositioned or omitted.

Any other land affected by rights granted or reserved or by restrictive covenants should be defined by reference to a plan.

12 Additional provisions

Definitions

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

Rights granted for the benefit of the property

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

Rights reserved for the benefit of other land

Include words of covenant.

Restrictive covenants by the transferee

Include words of covenant.

Restrictive covenants by the transferor

Insert here any required or permitted statements, certificates or applications and any agreed declarations and so on.

Other

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 11 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance.

Examples of the correct form of execution are set out in *practice guide 8: execution of deeds*. Execution as a deed usually means that a witness must also sign, and add their name and address.

Remember to date this deed in panel 4.

13 Execution

SIGNED AS A DEED BY

MICHAEL LARTER

M. Larter

IN THE PRESENCE OF:

NAME LEONIE SAVORY

SIGNATURE

ADDRESS

GRIFFIN LAW
60 Churchill Square
Kings Hill
West Malling
Kent
ME19 4YU

OCCUPATION SOLICITOR

SIGNED AS A DEED BY

ALBIE JOHN WILKINS

x A Wilkins

IN THE PRESENCE OF:

NAME LEONIE SAVORY

SIGNATURE

GRIFFIN LAW
60 Churchill Square
Kings Hill
West Malling
Kent
ME19 4YU

ADDRESS

OCCUPATION SOLICITOR

WARNING
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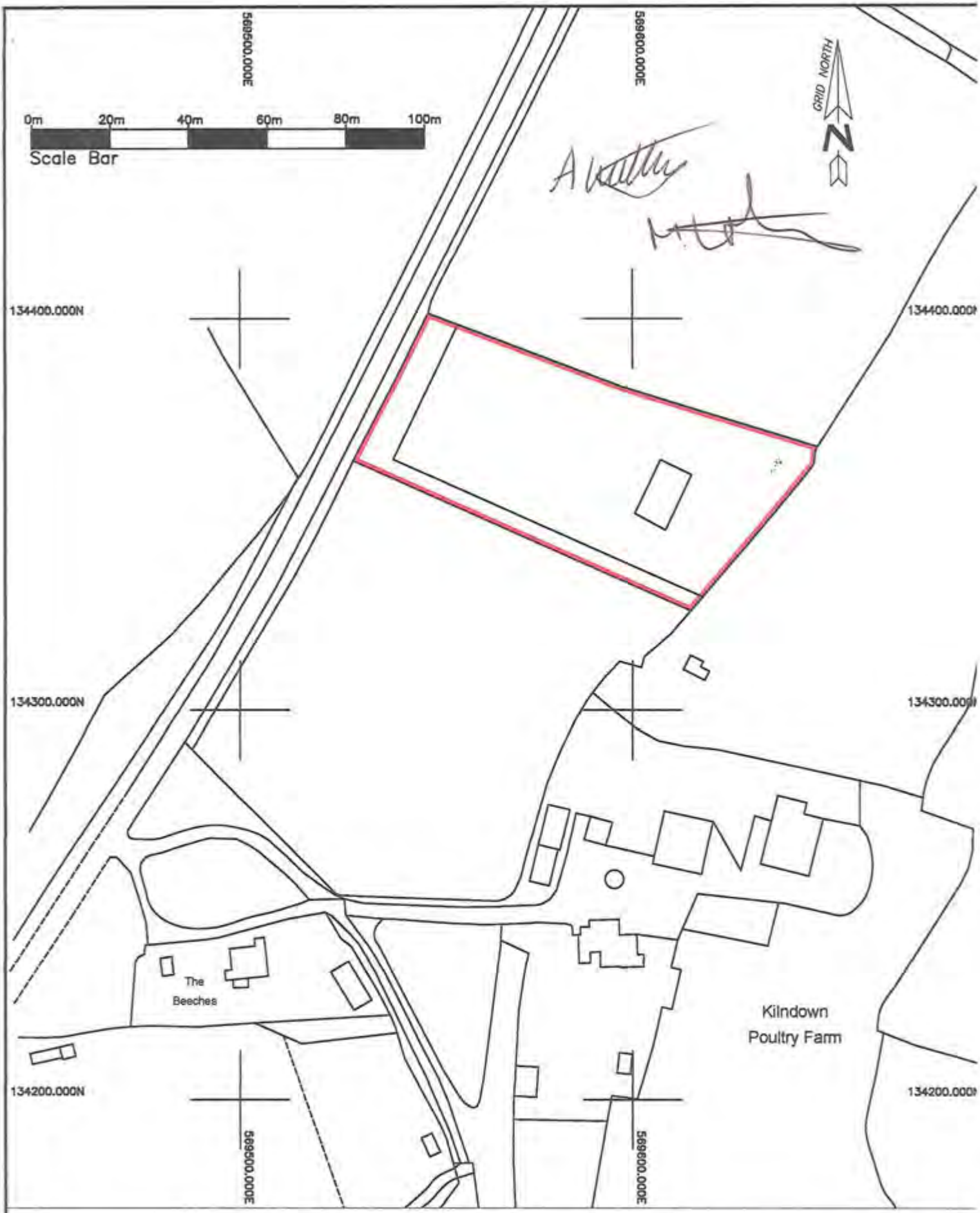

Status: SURVEY DRAWINGS	Site Address: Land To East Of Church Road, Flimwell, East Sussex, TN5 7PX	Drawing N°: 2024-1486-002-Survey Plan	Rev: 000000
SJM SURVEYS The Old Granary, Strettit Farm, Snoll Hatch Road, East Peckham, Tonbridge, Kent, TN12 5EE T. 01892 862253 E. enquiries@sjmplanning.com www.sjmplanning.com	Drawing Title: North Paddock To North Of The Beeches	[redacted]	
Client: Mr Michael Larter	Scale: 1:1250 @ A4 / Date: 24/07/2024 / Drawn: TDH	[redacted]	

Statement on behalf of the
Claimant
Witness: Heather Stevens
1st Statement
Dated: 21.05.2025
Exhibits: HS/1 - HS/6

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

EXHIBITS OF HEATHER STEVENS

HS/4

HM Land Registry

Transfer of part of registered title(s)

TP1

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

For information on how HM Land Registry processes your personal information, see our Personal Information Charter.

Leave blank if not yet registered.	1 Title number(s) out of which the property is transferred: K871684
When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.	2 Other title number(s) against which matters contained in this transfer are to be registered or noted, if any:
Insert address, including postcode (if any), or other description of the property transferred. Any physical exclusions, such as mines and minerals, should be defined. Place 'X' in the appropriate box and complete the statement. For example 'edged red'. For example 'edged and numbered 1 in blue'. Any plan lodged must be signed by the transferor.	3 Property: Land (known as Lower Paddock) on the south east side of Church Road, Kilndown, Kent The property is identified X on the attached plan and shown: edged red ☐ on the title plan(s) of the above titles and shown:
Remember to date this deed with the day of completion, but not before it has been signed and witnessed.	4 Date: 4th November 2024
Give full name(s) of **all** of the persons transferring the property. Complete as appropriate where the transferor is a company. Enter the overseas entity ID issued by Companies House for the transferor pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'. Further details on overseas entities can be found in practice guide 78: overseas entities.	5 Transferor: MICHAEL LARTER For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix: For overseas entities (a) Territory of incorporation or formation: (b) Overseas entity ID issued by Companies House, including any prefix: (c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

Give full name(s) of **all** the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with HM Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Enter the overseas entity ID issued by Companies House for the transferee pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in practice guide 78: overseas entities.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 12.

Place 'X' in any box that applies.

Add any modifications.

6 Transferee for entry in the register:

BILL LEE and BILL LEONARD LEE

For UK incorporated companies/LLPs
Registered number of company or limited liability partnership including any prefix:

For overseas entities
(a) Territory of incorporation or formation:

(b) Overseas entity ID issued by Companies House, including any prefix:

(c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

7 Transferee's intended address(es) for service for entry in the register:

Four Oaks, Church Hill, Boughton Monchelsea, Maidstone, Kent ME17 4BU

8 The transferor transfers the property to the transferee

9 Consideration

☒ The transferor has received from the transferee for the property the following sum (in words and figures): Thirty Five Thousand pounds (£35,000)

☐ The transfer is not for money or anything that has a monetary value

☐ Insert other receipt as appropriate:

10 The transferor transfers with

☒ full title guarantee

☐ limited title guarantee

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:
- an 'X' is placed:
  - in the first box, or
  - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, *or*
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

11 Declaration of trust. The transferee is more than one person and

X they are to hold the property on trust for themselves as joint tenants

☐ they are to hold the property on trust for themselves as tenants in common in equal shares

☐ they are to hold the property on trust:

Use this panel for:
- definitions of terms not defined above
- rights granted or reserved
- restrictive covenants
- other covenants
- agreements and declarations
- any required or permitted statements
- other agreed provisions.

The prescribed subheadings may be added to, amended, repositioned or omitted.

Any other land affected by rights granted or reserved or by restrictive covenants should be defined by reference to a plan.

12 Additional provisions

Indemnity Covenant

The Transferee covenants by way of indemnity only, on the Transferee's behalf and on behalf of the Transferee's successors in title, to observe and perform the charges, incumbrances, covenants and restrictions contained or referred to in the property and charges register of Title K871684 in so far as they are subsisting and capable of taking effect in respect of the Property and shall keep the Transferor indemnified against all proceedings, costs, claims and expenses arising from any future failure to do so

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 11 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to *Joint property ownership* and practice guide *24: private trusts of land* for further guidance.

Examples of the correct form of execution are set out in practice guide 8: execution of deeds. Execution as a deed usually means that a witness must also sign, and add their name and address.

Remember to date this deed in panel 4.

13 Execution

EXECUTED as a deed by the parties and delivered on the date set out at the beginning of this deed.

Signed as a deed by MICHAEL LARTER in the presence of:) M. Larter

Signature

Signature of witness

Name (in BLOCK CAPITALS) LEONIE SAVORY

Address GRIFFIN LAW
60 CHURCHILL SQUARE
KINGS HILL W.MALLING
ME19 4YU

Signed as a deed by BILL LEE in the presence of:) B Lee

Signature

Signature of witness

Name (in BLOCK CAPITALS) LEONIE SAVORY

Address GRIFFIN LAW, 60 CHURCHILL SQ
KINGS HILL W-MALLING ME19 4YU

Signed as a deed by BILL LEONARD LEE in the presence of:) B Lee

Signature

Signature of witness

Name (in BLOCK CAPITALS) LEONIE SAVORY

Address GRIFFIN LAW

I hereby certify this to be a true copy of the original
Signed .....
Name .....
Dated .....

GRIFFIN LAW
60 Churchill Square
Kings Hill
West Malling
Kent
ME19 4YU

WARNING
If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

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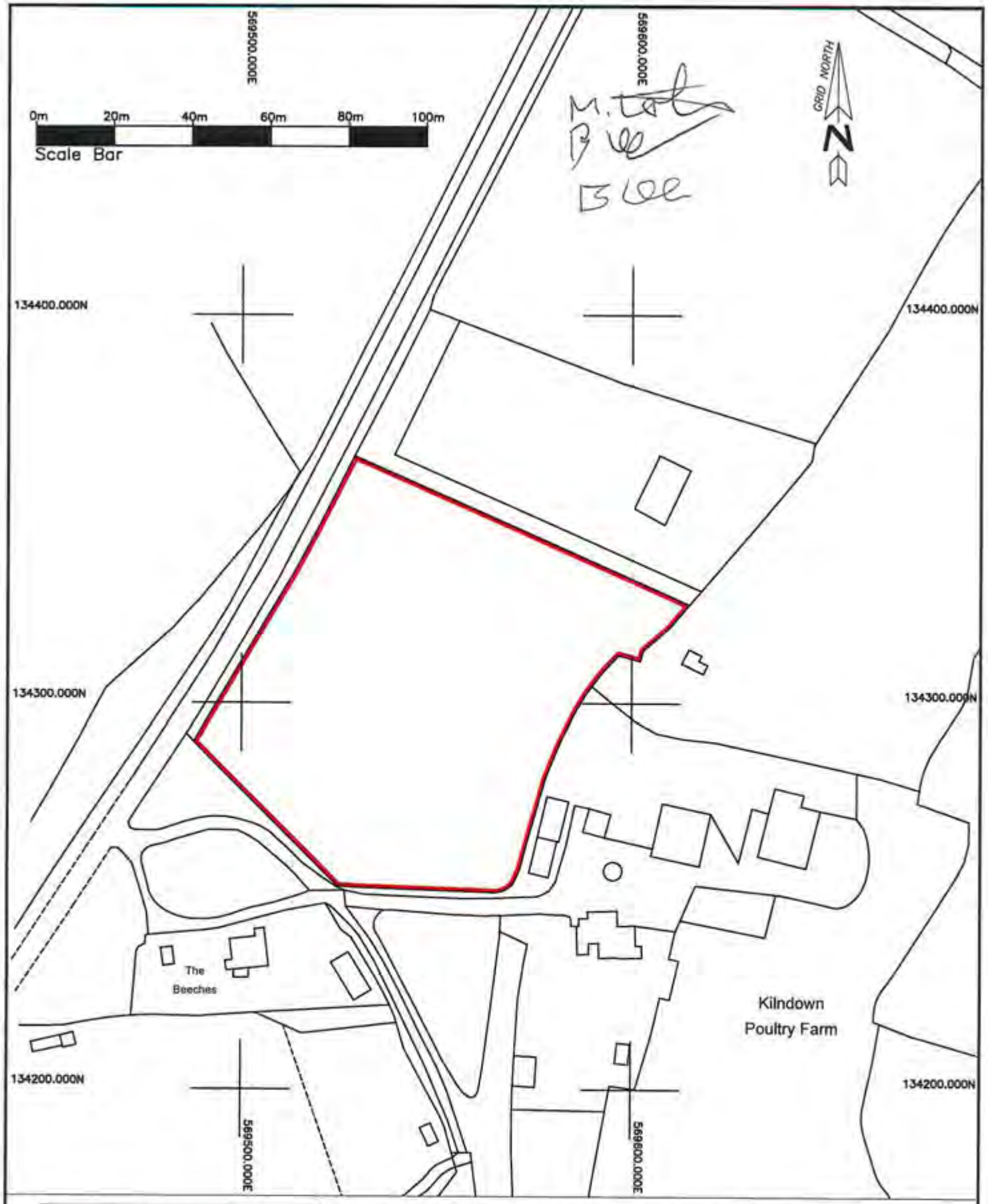

Status: SURVEY DRAWINGS

SJM SURVEYS

The Old Granary, Strett Farm, Small Hatch Road, East Peckham, Tonbridge, Kent, TN12 5EE

T. 01892 662288 E. enquiries@sjmplanning.com
www.sjmplanning.com

Client: Mr Michael Larter

Site Address: Land To East Of Church Road, Flimwell, East Sussex, TN5 7PX

Drawing Title: South Paddock To North Of The Beeches

Scale: 1:1250 @ A4

Date: 240/07/2024

Drawn: TDH

Drawing N°: 2024-1486-001-Survey Plan

Rev: 000000

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Base Map Data

Information shown is given for adjacent properties and boundaries is shown for illustrative purposes only. Water features have not been surveyed unless otherwise stated.

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Statement on behalf of the
Claimant
Witness: Heather Stevens
1st Statement
Dated: 21.05.2025
Exhibits: HS/1 - HS/6

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

EXHIBITS OF HEATHER STEVENS

HS/5

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN

Tunbridge Wells Borough Council

118.0m
Evanden Farm
Pond
Roy Christopher Draper (HS/1)
Track
CHURCH ROAD
Wesy Bill Wally Lee (HS/2)
Albie John Wilkins (HS/3)
103.6m
Bill Lee and Bill Leonard Lee (HS/4)
The Beeches
Kilndown Poultry Farm
West Cottage
Pond

Scale 1:2,500

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Statement on behalf of the
Claimant
Witness: Heather Stevens
1st Statement
Dated: 21.05.2025
Exhibits: HS/1 - HS/6

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

EXHIBITS OF HEATHER STEVENS

HS/6

Izindi Visagie

From: Richard Long <r.long@vplegalsolicitors.co.uk>
Sent: 21 May 2025 11:23
To: Izindi Visagie
Subject: RE: Our client: Michael Larter: Flimwell land sales

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ms Visagie

Thank for your prompt confirmation that our client will not be named as a Defendant on this Claim (subject to the qualifications you have set down). We have advised our client accordingly.

With regard to the representation of the Buyers of the various plots, our instructions were that each of them were told that we could not act for both parties and that they would need to seek their own advice. None wished to do so. While they will be better placed to say why than I am, I am sure that a factor will have been the low value of each of the transactions in relation to the size of any likely legal bill. As you may be aware, the ever growing burden of regulatory compliance, and the often nugatory work that ensues, has pushed conveyancing costs up in recent years so that the total of buyer's and seller's fees, even for a simple transaction, can be a significant percentage of the transaction value. Each of the buyers were, I was instructed, willing to buy provided such formalities were kept to a minimum. The Land Registry operates a process for unrepresented parties to be able to buy and sell land, including the completion by another solicitor of form ID1 to prove identity, and we ensured that we had completed ID1 forms for registration. The same solicitor witnessed each of the counterpart Transfers. I also drafted the Transfers to incorporate such access rights as were necessary and ensured that Land Registry compliant plans were used in each case. Further than this I think that the buyers of these plots would need to say why they chose to be unrepresented.

In case the Court asks, it is also unfortunately the case that the Land Registry usually seem to take about 18 months to register a Transfer of Part of a title these days. I am quite unable to comment on why this is thought to be acceptable. If a party wishes to undertake a new transaction on the land awaiting registration in their name, it is usually possible to request expedition, which shortens the time to a month or two.

Kind regards,

Richard

Richard Long
Consultant Solicitor
VP Legal Solicitors

Kent office: 15 St Lawrence Avenue, Bidborough, Tunbridge Wells, Kent TN4 0XA

Direct: 07767 377458
Tel (head office): 01480 400 692

From: Izindi Visagie <izindi@ivylegal.co.uk>
Sent: 21 May 2025 09:02
To: Richard Long <r.long@vplegalsolicitors.co.uk>
Subject: RE: Our client: Michael Larter: Flimwell land sales

Dear Mr Long,

Thank you for your email regarding the above matter and for setting out your client's position.

We can confirm that Tunbridge Wells Borough Council will not be seeking a continuation of the injunction against Mr Larter. A revised Claim Form and accompanying documents have now been submitted to the Court, which do not name Mr Larter as a defendant. Accordingly, we anticipate that no further action will be pursued against him in these proceedings.

However, we note that Mr Larter retains the access track and can advise that if further works are undertaken on this access track, consideration will be given to adding Mr Larter to the injunction. Mr Larter needs to ensure that no development takes place on this access track without first seeking planning permission.

We note your confirmation that the plots of land in question were transferred to individual purchasers, and that these applications are still pending at HM Land Registry. In that context, we would be grateful if you could clarify why the purchasers were not legally represented in these transactions, which I believe to be unusual in conveyancing transactions.

We will ensure that a copy of the Judge's order is provided to you following the hearing on 23 May 2025.

Kind regards,

Izindi Visagie
Partner

020 3745 5896 www.ivylegal.co.uk

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From: Richard Long <r.long@vplegalsolicitors.co.uk>
Sent: 20 May 2025 16:34
To: Izindi Visagie <izindi@ivylegal.co.uk>
Subject: Our client: Michael Larter: Flimwell land sales

Dear Sirs

Claim no: KB-2025-001739 Tunbridge Wells Borough Council v Larter and others

We refer to the above claim of which we have not seen a copy, but are instructed to write to you to clarify our client's position. We understand that your client's Claim refers to alleged illegal encampments on land at Kilndown, several plots of which are still registered in our client's name under the original title number: K871684. However we can confirm that all the plots of land of which we attach the completed Transfers were sold to other parties between 4th September and 4th November 2024. We acted for Mr Larter on these sales and applied for registration, the purchasers being unrepresented. These applications are, we believe, still pending at HM Land Registry. The only land remaining in our client's name is the access way shown shaded pink on the plans, but we are instructed that this small piece of land is not affected by the alleged illegal encampments as it is merely a narrow accessway. Any encampments on it would block the access to the other plots; our client has checked the site and reports no such obstructions on his land.

We respectfully request that our client is removed as a party to this Claim. Please let us know if you require any further information. Our client hopes to attend the hearing which we understand is set for Friday 23 May at 1030 am but requests, if he has not been able to attend, a copy of the Judge's decision. Should it not be possible, for whatever reason, to remove our client as a party to the Claim, you will appreciate that we must reserve all of our client's rights in respect of any Judgment that may be entered against him and any costs awarded against him and of course his own costs.

We would be grateful if you would acknowledge receipt and, when possible, advise us of your client's instructions once you have advised them on the contents of this email.

Yours faithfully

Richard Long

Consultant Solicitor

VP Legal Solicitors

Kent office: 15 St Lawrence Avenue, Bidborough, Tunbridge Wells, Kent TN4 0XA

Direct: 07767 377458

Tel (head office): 01480 400 692

VP Legal Solicitors, Castle Hill House, 20 High Street, Huntingdon, Cambs, PE29 3TE

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Statement on behalf of the Claimant
Witness: Andrew Culley
2nd Statement
Dated: 22.05.2025
Exhibits: AC/8 – AC/32

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

SECOND WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. On Saturday 17 May 2025 at approximately 11:50am, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with

JO SMITH, Senior Lawyer (Planning) for Mid Kent Legal Services and HEATHER STEVENS, Team Leader (Contentious). On entering the land, we saw 4 males, 3 who were down by the gate at the eastern point at the gate which enters the ancient woodland, looking at the Temporary Stop Notices that had been put on the gate. We shouted down to the males asking if it was Bill Lee.

3. The male on the right of the group identified himself as BILL LEE. HEATHER STEVENS served him with a copy of the unsealed interim Injunction Order, and accompanying documents. She informed him of the terms of the Penal Notice contained within the Injunction, that if it was breached he could be fined or sent to prison.

4. BILL LEE asked how long the Injunction Order was for. HEATHER STEVENS explained there was a return date of 23 May 2025 on the Friday and that he should attend Court. To which I pointed this section out to Bill Lee on the letter and also showing the time which was 10:30.

5. BILL LEE asked what he could continue to do on the land, and was told no more development, buildings, hardstanding or additional caravans, static or touring.

6. BILL LEE said " They know I'm putting more on, I have put for my licence for two".

7. JO SMITH asked Bill Lee if that was another static mobile home like what he already had and BILL LEE said "Yes, I can't stop it as I have paid for it and its coming next Saturday." We confirmed not today but next weekend, which BILL LEE confirmed next weekend.

8. HEATHER STEVENS told BILL LEE that bringing an additional caravan onto the land would put him in breach of the Injunction Order, and that he should seek independent legal advice and reminded him that an additional caravan would be a breach of the Injunction Order as the council know there is only one caravan on site. BILL LEE again said "but it's paid for and is coming I can't stop it."

9. BILL LEE asked for confirmation that the hearing would be on Friday, I pointed out the date and time in the letter he had been given and HEATHER STEVENS explained it would be at the High Court in London and that it was in his interests to attend.

10. JO SMITH then served an enforcement notice on BILL LEE.

11. One of the males identified himself as KEITH JEEVES. HEATHER STEVENS served him with a copy of the injunction Order and explained his land was not in the order but had been included in the application.

12. JO SMITH then served an enforcement notice on KEITH JEEVES.

13. We then served additional copies of the unsealed Injunction Order at the following places:
    i. On a gate east of BILL LEE's plot where we also put copies of the Enforcement notice which was also issued to BILL LEE, I **Exhibit AC/8** close up of Injunction pack and **Exhibit AC/9** photo at distance also showing the Enforcement letters.
    ii. On a gate from the road to the most northern entrance to the land which I **Exhibit AC/10** a close up photo and **Exhibit AC/11** a photo from distance.
    iii. On a post on the south west corner of Curtis Love's land I **Exhibit AC/12** a close up photo of the Injunction and **Exhibit AC/13** a distance photo.
    iv. On the gate to the southern piece of land of Title K871684 I **Exhibit AC/14** as a close up and **Exhibit AC/15** at distance.

14. While on the Land I could see that BILL LEE had continued with further development on the Land since my previous visit on 12 May 2025 by completing the fence (which he had advised he would) and laying a further 3 areas laid with hardcore. One area laid outside his gated area I took a photo which I **Exhibit as AC/16.** Second large area approximately 24 foot by 36 foot inside his close board fenced area and a third by the gate post I took a photo which I **Exhibit as AC/17.** This hardcore was all laid after my colleague and I told Mr Lee not to undertake any further works.

15. On Monday 19 May at approximately 14:36 I phoned TONY SEARLES planning agent for BILL LEE, I advised him that on Saturday BILL LEE had been served with an Injunction and planning Enforcement notice, he said that BILL LEE had already contacted him to let him know and he was visiting him tomorrow to collect the paperwork.

16. On Monday 19 May planning technical messaged me to advise that a MICHAEL LARTER had called and wanted an urgent call from me as he had stated to them an Injunction had been served on him but he is not the Land owner.

17. I called MICHAEL LARTER on his mobile at approximately 15:37, he said he had received the Injunction in his name but this was not correct as he has sold the land and asked where we get our information from. I advised that it was from the HM land registry and that it showed him still as the landowner but that applications were pending. He asked if I used the online check which I advised him I do, he said he would talk me through how to bring it up to show the details of the pending applications. He asked me to hold the line while he got his laptop so could talk it through step by step.

18. Having been talked through the steps by MICHAEL LARTER it showed a list of 4 applications which I **Exhibit as AC/18.** I said that it shows 4 applications all ending in different names but the last one ends in Larter. His reply was that must have just been the reference which the

solicitor used. I explained that this exercise did not demonstrate that Mr Larter did not own any of the Land as these names are purely part of a reference given by the person making the application. I also advised that we served on 'Persons Unknown' for the reason we knew there were applications pending.

19. MICHAEL LARTER said we should not be serving on him as he only retained the track from the road down to the gate into the woods and that the tipping of hardcore on the track where the Temporary Stop Notice has been issued was not done by him and they did not have his permission and he has told them to remove it. I said this track through the field is within the red line on the map and part of Title K871684 so the Injunction is correctly served on him as a landowner.

20. I asked if he could tell me who he sold the land to, MICHAEL LARTER advised he used an agent and is in dispute with them so unable to get the new owners' details, he also advised that he had emailed his solicitor who normally is quick at getting back to him, so thinks "he must be away or something".

21. I am now aware that the Claimant's solicitors have been sent TP1s demonstrating that transfers of land have taken place and this is dealt with by HEATHER STEVENS.

22. MICHAEL LARTER said "I no longer live at 73 Derwent Drive". I asked him to confirm what address and he said "May's Wood you know that it was in LEANNE's [TARLING] witness statement so send all mail there".

23. MICHAEL LARTER advised he would look at getting legal advice and attend court on Friday.

24. On Monday 19 May 2025 at approximately 17:37, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer). On entering the land we saw a group of males inside the fenced area of BILL LEE's plot, BILL LEE greeted us.

25. I served BILL LEE with a covering letter along with the sealed Injunction and again advised that he should seek independent legal advice. he asked what the difference was between this and what we gave him Saturday, I told him and pointed to the seal on the copy I handed him. He said he had spoken to TONY SEARLES (his planning agent).

26. I asked the other 2 males who they were and if they had anything to do with the land. One male said he was WESY LEE and that he owned the next 2 plots of the field to the EAST of BILL LEE's plot (both part of title K871684). I then served WESY LEE with a covering letter addressed to Persons Unknown and a sealed Injunction as I had a 'Persons Unknown' copy.

I advised him that he should seek independent legal advice and that there was a hearing on Friday 23 May at 10:30 at the High Court.

27. WESY LEE then said “My land is now worthless, you can’t put anything on it.” The other male who said he was WESY LEE’s farther but declined to provide a first name said “it is unfair that you have just put an Injunction on my son’s land”.

28. WESY LEE stated that he wasn’t going to build anything on it. Again we advised him that he should seek legal advice. I asked if he had received the pack which was served on the Land he said “no they have all been ripped down and taken”. I advised that a digital copy was on the Tunbridge Wells Borough Council planning enforcement page. WESY LEE stated again “my land’s now worthless.”

29. KEITH JEEVES came over from his plot and I served him with a covering letter along with the sealed Injunction and advised that again it was for reference, he then talked about could he attend court to say he feels safer having BILL LEE on the land next to his horses.

30. On BILL LEE’S plot there was a shed in front of the static caravan which I **Exhibit as AC/19.** I did not notice this on my visit on Saturday 17 May 2025 but also do not recall looking in front of the static caravan. It is definitely an addition since he told me on Monday 12 May 2025 he would not continue with any development. I also took 2 photos showing the new hardcore since my visit of May 12 2025 which I **Exhibit AC/20 and AC/21.**

31. I took a photo outside WESY LEE’s plot where a pile of further slot in closed board fencing was sitting which I **Exhibit as AC/22.**

32. WESY LEE left the site via a small sign written van that can be seen on the left of **Exhibit AC/19** which was parked in the middle of BILL LEE’s fenced off plot. The location of his parked van surprised me as I thought WESY LEE's vehicle may have been one of the 2 vehicles which can be seen parked in **Exhibit AC/22**. BILL LEE had previously told me that he did not know the other landowners. If that was the case, I would have expected WESY LEE to have parked in the empty gateway or on his plot next door to BILL LEE’s which can also be seen in **Exhibit AC/22**.

33. I took photos of the hardcore laid on the track near the road into the land and a photo of the measurement of over 19 feet which I **Exhibit as AC/23 and AC/24.**

34. There was a pile of what looked like old timber roofing batons under a tree by the entrance to KEITH JEEVES’s field which I **Exhibit as AC/25**.

35. We then served additional copies of the sealed Injunction Order at the following places

i. On the gate from the road to the most northern entrance with a covering letter for Persons Unknown to the land which I **Exhibit AC/26** a close up photo and **Exhibit AC/27** a photo from distance.

ii. On a gate east of BILL LEE's plot with a covering letter to Persons Unknown, a photo I **Exhibit AC/28**.

iii. On a post on the south west corner of Curtis Love's land with a covering letter to Curtis Love I **Exhibit AC/29** a close up photo of the Injunction and **Exhibit AC/30** a distance photo.

iv. On the gate to the southern piece of land of Title K871684 with a covering letter to Michael Larter I **Exhibit AC/31** as a close up and **Exhibit AC/32** at distance.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

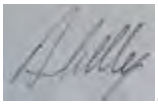
Signed.....  ..... Dated.....22/05/2025.....

Exhibit AC/8 Close up photo Injunction pack

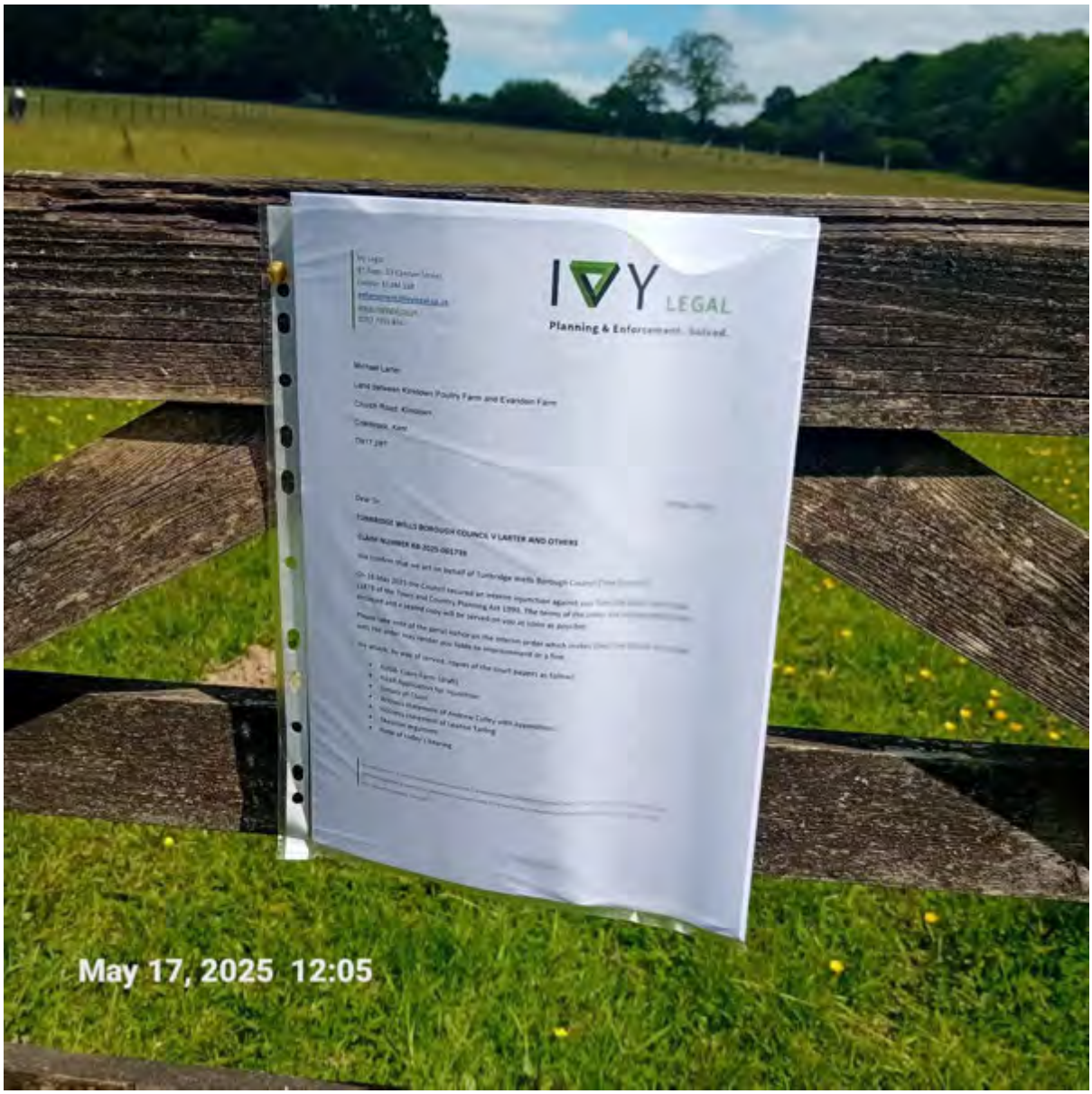


Exhibit AC/9 Distance photo Injunction pack and Enforcement notice on gate East to BILL LEE's plot

Exhibit AC/10 Close up of injunction pack on Northern entrance to the land

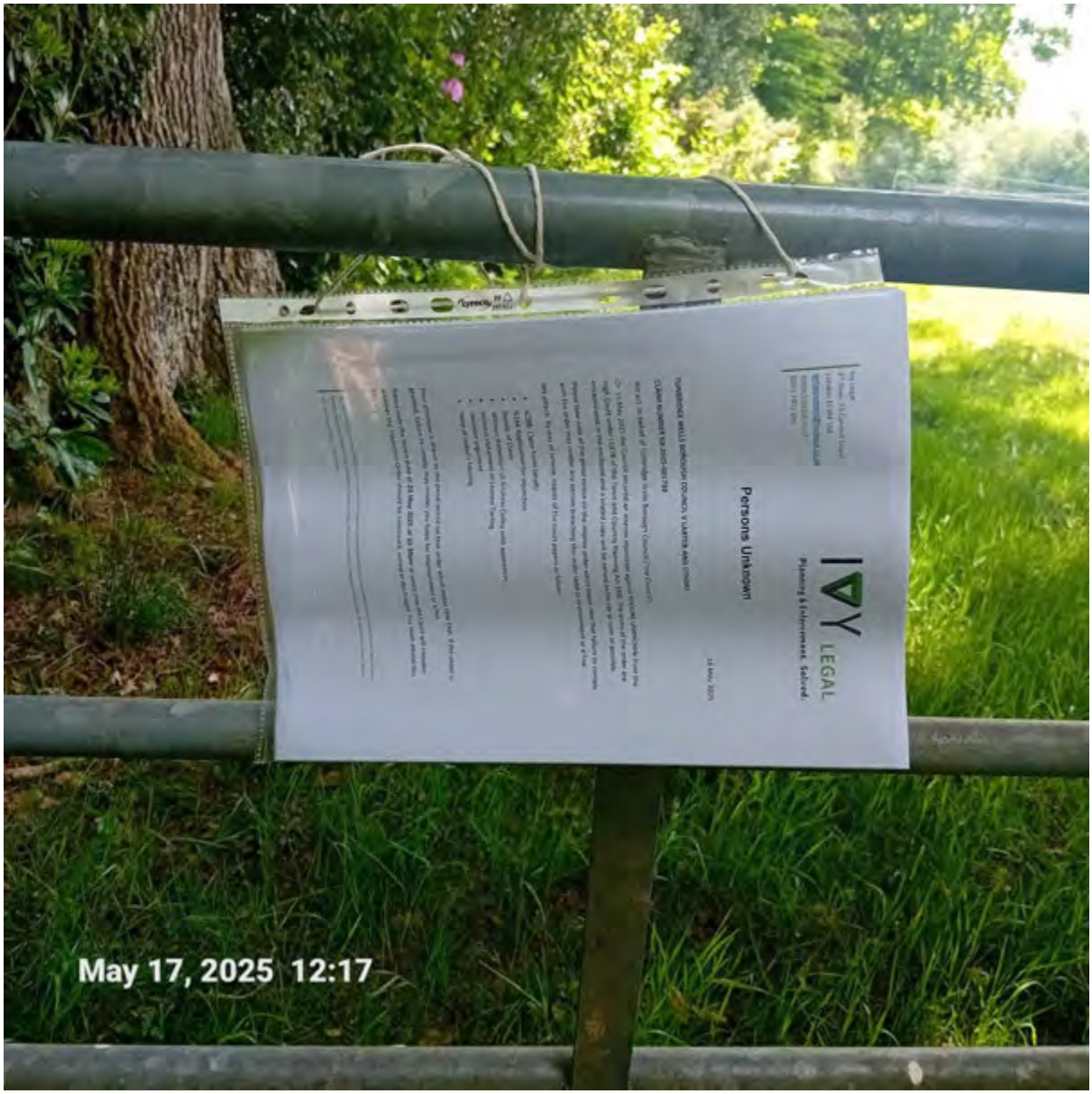


Exhibit AC/11 distance photo

Exhibit AC/12 Close up photo of Injunction on Mr Love's land

Exhibit AC/13 Distance photo of Injunction on Mr Love's land

Exhibit AC/14 close up on gate to south parcel of land of K871684

IVY LEGAL

Planning & Enforcement. Solved.

Michael Larter

Land between Kingdown Poultry Farm and Evendale Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

16 May 2025

Dear Sir,

TUNBRIDGE WELLS BOROUGH COUNCIL V LARTER AND OTHERS

CLAIM NUMBER KB-2025-001739

We confirm that we act on behalf of Tunbridge Wells Borough Council ("the Council").

On 16 May 2025 the Council secured an interim injunction against you from the High Court under s187B of the Town and Country Planning Act 1990. The terms of the order are encapsulated in the enclosed and a sealed copy will be served on you as soon as possible.

Please take note of the penal notice on the interim order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

We attach, by way of service, copies of the court papers as follows:

- N208- Claim Form (draft)
- N244 Application for Injunction
- Details of Claim
- Witness statement of Andrew Culley with appendices
- Witness statement of Leanne Tarling
- Skeleton argument
- Note of today's hearing

May 17, 2025 12:42

Exhibit AC/15 Distance photo of gate to south parcel of land of K871684

Exhibit AC/16 New hardcore out side of fenced area of BILL LEE's

AC/17 photo showing 2 new areas of hardcore laid since 12 May 2025.

Exhibit AC/18 Screenshot of land registry page showing applications for title K871684.

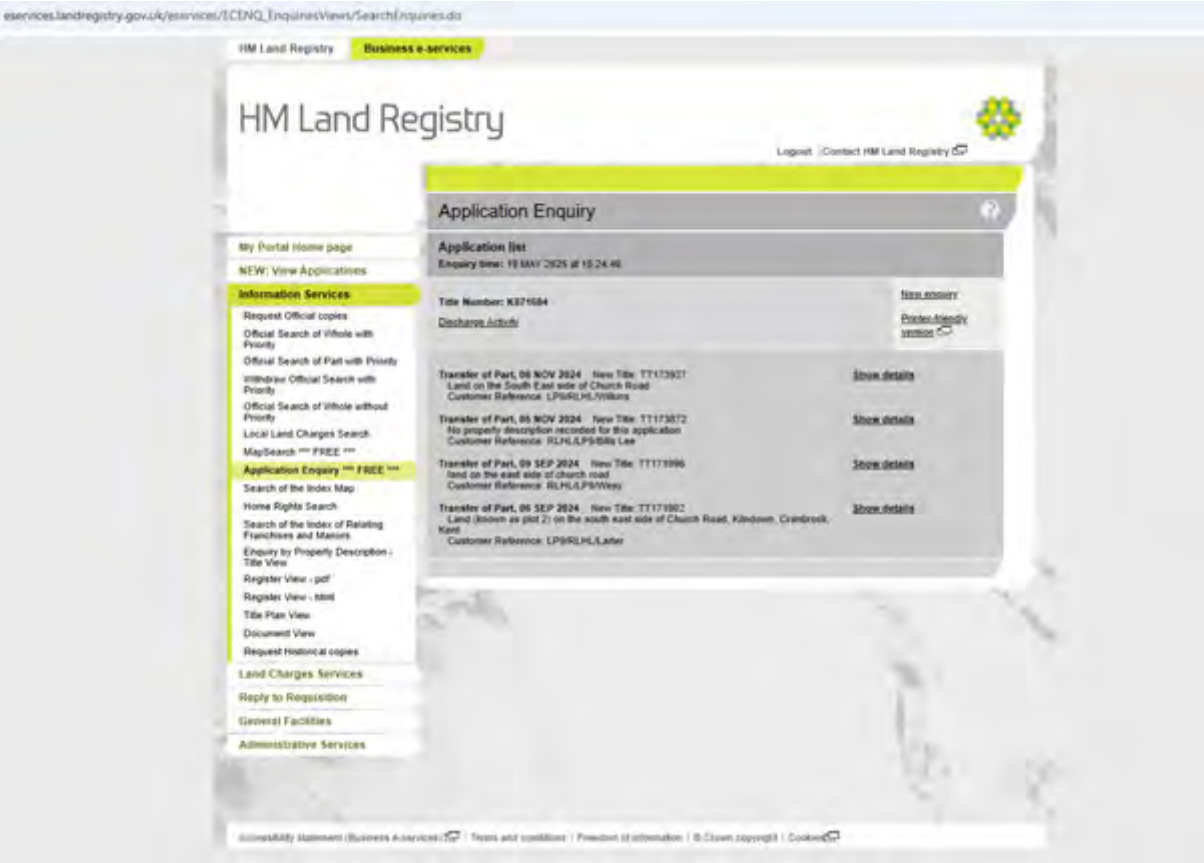


Exhibit AC/19 Shed Infront of static caravan

Exhibit AC/20 New hardcore laid after 12 May 2025

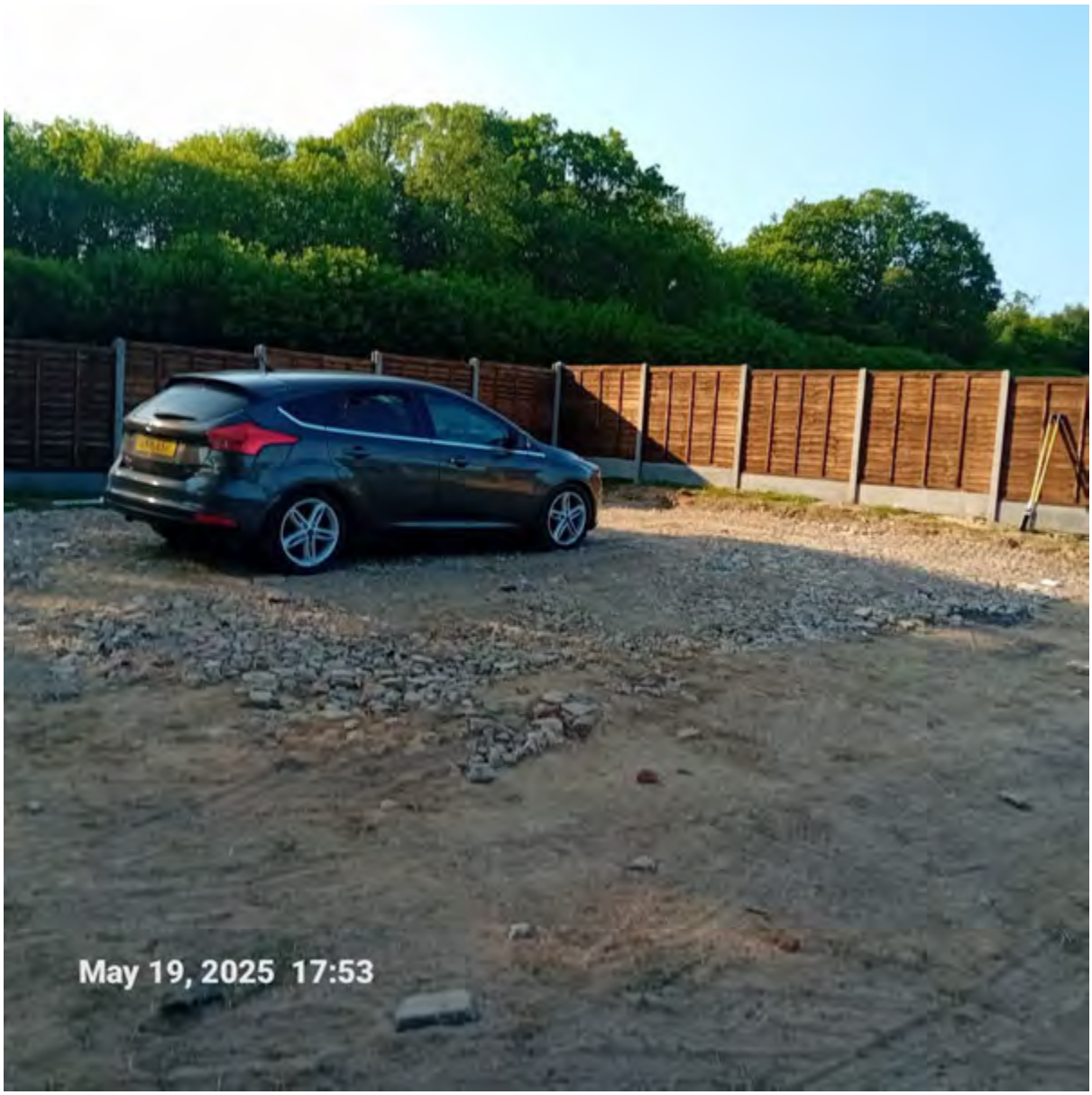


Exhibit AC/21

Exhibit AC/22 Pile of close board fencing

Exhibit AC/23 New hardcore laid for the track into the land

Exhibit AC/24 measurement of the new hardcore

Exhibit AC/25 Pile of possible old timber roof batons.

Exhibit AC/26 Sealed Injunction Order close up by Northern entrance

Exhibit AC/27 Sealed Injunction Order distance by Northern entrance

Exhibit AC/28 On gate on plot East (below) of BILL LEE's

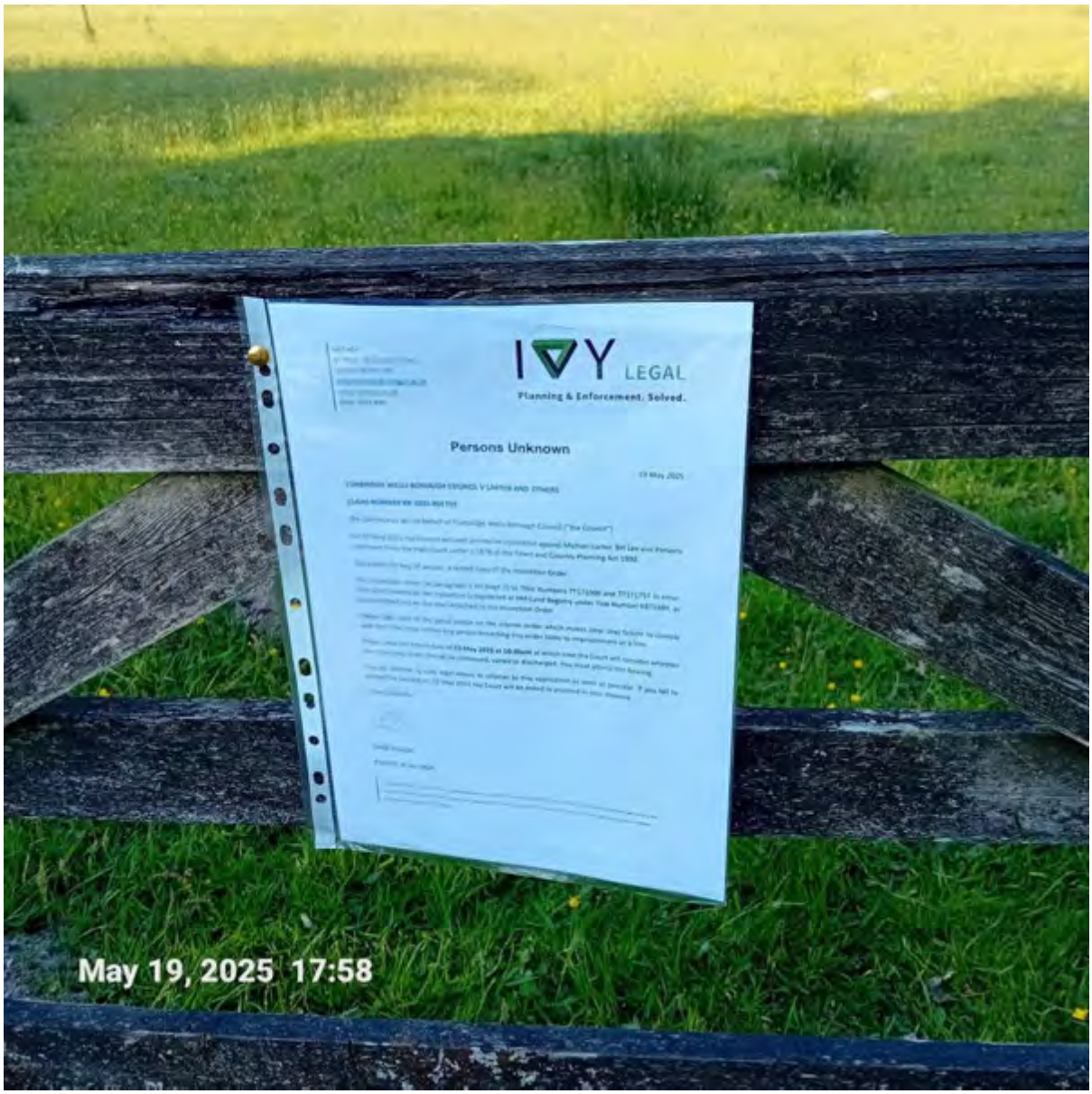


Exhibit AC/29 Close up of Sealed Injunction on post on corner of Curtis Loves Land.

Exhibit AC/30 Distance photo of Sealed Injunction on post on corner of Curtis Loves Land.

Exhibit AC/31 Close up of sealed Injunction on gate of most southern land of title K871684.

London EC4M 5SB
enforcement@hydrogal.co.uk
www.hydrogal.co.uk
0203 7455 896

LEGAL

Planning & Enforcement. Solved.

Michael Larter

Land between Kilndown Poultry Farm and Evanden Farm

Church Road, Kilndown,

Cranbrook, Kent

TN17 2RT

19 May 2025

Dear Sir,

TUNBRIDGE WELLS BOROUGH COUNCIL V LARTER AND OTHERS

CLAIM NUMBER KB-2025-001739

We continue to act on behalf of Tunbridge Wells Borough Council ("the Council").

On 16 May 2025 the Council secured an interim injunction against you from the High Court under s.187B of the Town and Country Planning Act 1990.

We attach, by way of service, a sealed copy of the Injunction Order.

The Injunction refers (at paragraph 1 on page 2) to Title Numbers TT171000 and TT171757 in error. The Land covered by the Injunction is registered at HM Land Registry under Title Number K871684, as shown edged red on the plan attached to the Injunction Order.

Please take note of the penal notice on the interim order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

Please note the return date of **23 May 2025 at 10:30am** at which time the Court will consider whether the Injunction Order should be continued, varied or discharged. You must attend this hearing.

You are advised to seek legal advice in relation to this application as soon as possible. If you fail to attend the hearing on 23 May 2025 the Court will be asked to proceed in your absence.

May 19, 2025 18:16

Exhibit AC/32 Distance photo of sealed Injunction on gate of most southern land of title K871684.

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-001812
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE THE HONOURABLE MR JUSTICE DEXTER DIAS

DATED 23rd May 2025

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fifth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number K871684)

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED: BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT

1. This Order prohibits you from doing the acts set out in this Order. You should read the terms of the Order and the guidance notes very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge the Order.

2. If you disobey this order you may be found guilty of Contempt of Court and may be sent to prison or fined. In the case of a Corporate Defendant, it may be fined, its Directors may be sent to prison or fined or its assets may be seized.

On the 23rd May 2025 Mr Justice Dexter Dias considered the Application brought by Tunbridge Wells Borough Council ("the Claimant") for an injunction further to the interim injunction granted by Mr Justice Eyre on 16th May 2025 supported by the Witness Statements listed in Schedule A and accepted the undertakings listed in Schedule B at the end of this Order.

UPON hearing Counsel for the Claimant and Mr Westley Lee on behalf of the Third Defendant, Mr Wesy Bill Wally Lee upon reading the witness statements listed in Schedule A and upon accepting the undertakings listed in Schedule B and effective from 10.58am on 23rd May 2025

IT IS ORDERED THAT UNTIL 6th June 2025 OR FURTHER ORDER

THE INJUNCTION

1. In relation to the Land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number K871684 (the Land) as shown edged red on the attached plan, the Defendants whether by themselves or by instructing, encouraging or permitting any other person must not use the Land or carry out works to the Land in breach of planning control and, in particular, must not:

    i. Allow the use of the Land, save for the area edged blue, for human habitation or residential occupation or any other purpose in breach of planning control;

    ii. Bring onto the Land any touring caravans and/or mobile homes (over and above the one mobile home existing on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

    iii. Bring /erect/install any buildings or structures on the Land for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;

iv. Bring onto the Land any portable structures including portable toilets and any other further items and paraphernalia for purposes associated with human habitation or residential occupation or any other purpose in breach of planning control;

v. Bring onto the Land any further waste materials and/or hardcore and/or like materials for any purpose, including the further creation/laying of hardstandings or hard surfaces, in association with the use of Land for the stationing of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vi. Carry out any further works in relation to the formation of paths, roadways or any works including the provision of sewerage, water and electricity infrastructure associated with the use of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

vii. Carry out any further works to the Land associated with or in preparation for its use for stationing caravans/or mobile homes or for the erection of a building and/or any structure for human habitation or residential occupation or any other purpose in breach of planning control;

viii. Undertake any further development on the Land as defined in section 55 of the Town and Country Planning Act 1990 without the express grant of planning permission.

IT IS FURTHER ORDERED THAT:

ALTERNATIVE SERVICE

2. Service of this Order and related documentation may be effected by:

   a. the posting of sealed copies of the said Order, the Application Notice, the Claim Form and evidence in support of the Application and any future documentation in a transparent waterproof envelope in a prominent position on the Land;
   b. advertisement on the Claimant's website and social media sites which it considers might be reasonably bring this Order to the attention of the Defendants;
   c. service at any mobile homes, caravans, static homes of other dwellings already on the Land

and such posting/advertisement in accordance with a. and/or b. and/or to c. above shall be deemed to be good and sufficient service on the Defendants of the said Order, the Application Notice, Claim

Form and evidence in support of the Application and any future documentation on the date it was so affixed.

3. Prior to 6th June 2025, the Claimant:
    i. Makes contact with the Friends, Families and Travellers support organisation in an effort to find out if there are any known issues relating to potential occupiers of the Land;
    ii. Provides an assessment of any highway safety issues at the Land.

4. Prior to 6th June 2025, the Third Defendant does provide to the court a witness statement setting out why he bought his plot on the Land and his intentions for his plot on the Land.

THE RETURN DATE

5. There shall be a hearing at 10.30am on 6th June 2025 at the Royal Courts of Justice, unless the named parties consent in writing that no such hearing is necessary. On the Return Date, the Defendants can make, if so advised, representations in relation to the continuation, variation or discharge of the Order.

VARIATION OR DISCHARGE OF THIS ORDER

6. The Defendants may each of them (or anyone notified of this Order) apply to the Court on 48 hours written notice to the Claimant's legal representatives to vary or discharge this Order (or so much of it as affects that person). Except that the hours between 5pm on any Friday and 9am on any Monday cannot be counted as part of the 48 hours' notice period.

7. Any person, other than the First-Fifth Defendants, who wishes to be heard under paragraph 5 must apply to the court to be added as a named defendant to these proceedings and must provide their names and contact details in the application.

COSTS OF THE APPLICATION

8. Costs reserved.

9. Liberty to apply.

GUIDANCE NOTES

Effect of this Order – The Defendants

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

Effect of this Order - Parties other than the Claimant and Defendants

It is a Contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

The grant of this order does not prevent the Defendants from raising any objection of law, practice, justice or convenience at the Return Date or other hearing before the court.

Interpretation of this Order

1. In this Order, the words "the Land" means land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number K871684 edged red on the attached plan.

2. In this Order, where there is more than one Defendant (unless otherwise stated) references to "the Defendants" means each or all of them.

3. A requirement to serve on "the Defendants" means on each of them. However, the Order is effective against any Defendant on whom it is served.

4. An Order requiring "the Defendants" not to do anything applies to all Defendants.

5. In this Order, the Sixth Defendant identified only as "Persons Unknown" refers to those adult persons who are not named Defendants to this Application who have an interest in the Land and/or intend to carry out further works to the Land and/or intend to occupy the Land.

Communications with the Court

All communications to the Court about this Order should be sent to Room WG08, Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010). The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday except holidays.

SCHEDULE A

Evidence

The Judge read the following written evidence before making this Order:-

1. First Witness Statement of Andrew Culley dated 15th May 2025
2. First Witness Statement of Leanne Tarling dated 15th May 2025
3. First Witness Statement of Heather Stevens dated 22nd May 2025
4. Second Witness Statement of Andrew Culley dated 22nd May 2025

SCHEDULE B

Undertakings given to the Court by the Claimant:-

1. As soon as practicable the Claimant will serve on the named Defendants a sealed copy of this Order and evidence together with Counsel's skeleton argument for the hearing in support pursuant to the Order for alternative service herein.
2. As soon as practicable the Claimant will serve on the named Defendants the sealed Claim Form in this action claiming the appropriate relief.
3. To use the Claimant's best endeavours to effect personal service on the named Defendants.

Name and Address of Claimant's Legal Representatives:-

Ms Izindi Visagie
Ivy Legal Ltd
4th floor, 33Cannon Street
London
EC4M 5SB

Tel: 02037455896
Email: izindi@ivylegal.co.uk

Claim No. KB-2025-001812
Matter no. KB-2025-001739

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

DATED 23rd May 2025

IN THE MATTER

B E T W E E N:-

TUNBRIDGE WELLS BOROUGH COUNCIL
Claimant

-and-

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number K871684)

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS, BILL LEE, BILL LEONARD LEE, WESY BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN WILKINS AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED

Ms Izindi Visagie, Ivy Legal Ltd
Tel: 02037455896
Email: izindi@ivylegal.co.uk

Solicitors for Tunbridge Wells Borough Council

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Name of court In the High Court, King's Bench Division	**Claim no.** KB-2025-001812/001739
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
	H W F – –
Warrant no. (if applicable)	
Claimant's name (including ref.) Tunbridge Wells Borough Council	
Defendant's name (including ref.) (1) Keith Jeeves (2) Curtis Love (3) Bonny Harbour (4) Jonny Bigmore (5) Persons Unknown	
Date	30 May 2025

1. What is your name or, if you are a legal representative, the name of your firm?

   Ivy Legal Limited

2. Are you a ☐ Claimant ☐ Defendant ☑ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent? Tunbridge Wells Borough Council

3. What order are you asking the court to make and why?

   The Claimant is seeking an interim injunction against these defendants in relation to the Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Kent to prevent further development under s187B Town and Country Planning Act 1990 for the reasons set out in the Claimant's evidence.

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☑ at a hearing ☐ without a hearing

   ☐ at a remote hearing

6. How long do you think the hearing will last? ☐ Hours 30 Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☑ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need? High Court Judge

9. Who should be served with this application?

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement
- ☐ the statement of case
- ☑ the evidence set out in the box below

If necessary, please continue on a separate sheet.

The evidence contained within the witness statements of Andrew Culley and Leanne Tarling.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☑ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☑ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Izindi Visagie

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☑ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
3 0	0 5	2 0 2 5

Full name

Izindi Visagie

Name of applicant's legal representative's firm

Ivy Legal Limited

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

4th Floor, 33 Cannon Street

Second line of address

Town or city

London

County (optional)

Postcode

E	C	4	M	5	S	B

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Tunbridge Wells/Kilndown

Email

enforcement@ivylegal.co.uk

Statement on behalf of the Claimant
Witness: Andrew Culley
3rd Statement
Dated: 30.05.2025
Exhibits: AC/33 – AC/

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown

Defendants

THIRD WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated. The Claimant makes an urgent application without notice for injunctive relief against further named defendants and further land.

2. The background to this claim is set out in my First and Second Witness statements. In short, the Council applied for an interim injunction without notice on 16th May 2025 against all land that was formerly within the ownership of Mr Larter. The injunction order was granted but land transferred to Mr Jeeves and Mr Love was not included on that occasion. By the return date, further information had come to light and Mr Larter's solicitors had provided transfer documents demonstrating that all land formerly within his ownership had been transferred save for an access strip. On the return date, the injunction was continued until 6th June 2025. Since that date, further activity has taken place and unfortunately, land excluded from the injunction has been developed in breach of planning control today.

Service effected in relation to the hearing on 23rd May 2025

3. On Thursday 22 May 2025 at approximately 18:51pm, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague PIP PRESTON (Planning Investigations Officer). I went to the Static mobile caravan which was on site and knocked the door. The person who answered the door was BILL LEE, He went to get a top and came out of the caravan. I served him with the court pack for the hearing on Friday 23 May 2025. I exhibit a photograph of BILL LEE holding the pack as **Exhibit AC/33.** It was not the same person who we served the unsealed injunction on Saturday 17 May 2025. But it was the same person I served the sealed Injunction to on Monday 19 May 2025.

4. I asked BILL LEE if he would be attending court on 23rd May 2025 and he said he wouldn't, he had got some legal advice and had been advised that as long as nothing else was done to the land, like bring in more caravans or putting up more fences or hardstanding there was no need.

5. I asked BILL LEE if he knew ROY CHRISTOPHER DRAPER, he said that he was the person he bought the land off. I asked if he knew BILL LEODARD LEE was and he advised that was him, and that he had owned the plot furthest south but had sold it to someone on Facebook called ANTHOMY CONNORS who was an old person who lived in Crowborough and wasn't a gypsy traveller. He had done this so he could buy the plot he was on. I asked if he knew ALBIE WILKINS and he didn't know anything about him but the person to whom he was speaking on the phone did. I was not told who he was talking to. BILL LEE confirmed that WESY LEE was his cousin.

6. I then served court packs at the following locations:

I. On the gate from the road to the most northern entrance with a covering letter for Persons Unknown to the land which I Exhibit AC/34 a photo from distance and Exhibit AC/35 a photo close up.

II. On a gate on WESY LEE's plot addressed to WESY LEE I took a close up photo which I **Exhibit as AC/36** a distance photo **Exhibit as AC/37**, also a copy of an enforcement notice as his Land has an interest (access)

III. On the gate post to the plot which BILL LEE is occupying a pack addressed to ROY CHRISTOPHER DRAPER which I close up photograph **Exhibit as AC/38** and distance as **AC/39.** I also served an Enforcement notice.

IV. I served an Enforcement notice on KEITH JEEVES land for reference as his land has an interest.(access) I took a photograph which I **Exhibit as AC/40**.

V. On the gate entrance to ALBIE JOHN WILKINS land I served court packs addressed to him and also PERSONS UNKNOWN. I took a close up photograph which I **Exhibit as AC/41** a distance photo **Exhibit as AC/42.**

VI. On the gate of the most southern plot a court pack addressed to PERSON UNKNOWN photograph **Exhibited as AC/43** BILL LEONARD LEE a photograph I **Exhibit as AC/44** distance photograph as **Exhibit AC/45**

7.

8. On Friday 23 May 2024 I arrived at The High Court in London and went to court 13, outside the court were four males two I knew as WESY LEE and his dad. The other two where WESY LEE's grandad and CURTIS LOVE's dad which surprised me as, due to not being satisfied in relation to the without notice justification, the court had not included Mr Love's land within the scope of the injunction so we had not continued to pursue his land within our claim. This is important as it confirmed to me that Curtis Love was part of the Gypsy and Traveller community and that the families knew each other.

9. On Tuesday 27 May 2025 at 14:41, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer) to take photographs of the entrance to the field and also take measurements so I could ask Kent County Council to get a road safety assessment report (as per the order dated 23rd May 2025). When I returned to the office I sent an email to Kent County Council asking for the road safety assessment which I **Exhibit as AC/46** the attachments **Exhibited as AC47&AC48.**

10. I also noticed that on WESY LEE's land there was a large pipe coming out of the ground which was possibly for a water meter or supply. I exhibit a photos of this as **Exhibit AC/49 to AC51** On Thursday 29 May 2025 I sent an email to South East water requesting for details of any water supplies put in the fields off Church road, Kilndown I exhibit this as **Exhibit AC/52**

Development occurring today – 30th May 2025

On Friday 30 May 2025 the council received a report at 09:07am that a caravan was being brought onto land adjacent to land covered by the injunction order but excluded from it.

On Friday 30 May 2025 at 12:34, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer). As we approached the field owned by KEITH JEEVES land title TT171757 there was a low loader lorry halfway through the entrance which is unauthorised and subject to an enforcement notice. There was also a touring caravan parked in the field. I took photographs which I **Exhibit as AC/**53 **to** AC/55

11. The Police were also onsite as there had possibly already been a breach of the peace. There were many residents of Kilndown onsite including ED READCUTTING, his wife, members of the Parish council and neighbourhood group. BILL LEE also appeared and others who were in the field with the caravan. People seemed quite heated and I asked the Kilndown residents if they could remove themselves from the situation so as we could start to assess what action we could take, and the quicker we could conduct our visit the quicker we can return to discuss what action we could take.

12. The Police officers asked if the Mobile home being put in the field was legal, I showed them the area the Court Injunction covered and that this field was not in it. Although the site of the caravan is not lawful it is not illegal in the terms of Police enforcement. The Police advised that they would now be leaving the site but if we needed any assistance to call them.

13. A male who I had not seen on the site before came out and said that he had a planning agent on the phone and handed his mobile phone to LEANNE TARLING. Later the male identified himself as JONNY BIGMORE.

14. We spoke to KEITH JEEVES who was not acting like he had previously as he was more abrupt and wanting to avoid conversation. He told me that the touring caravan was his and that he was now homeless so thought he would live here temporarily and that the mobile static caravan which was being unloaded was for his son who was also homeless and going through a hard time with his wife and kids. This is completely different to what KEITH JEEVES had told me in the past that he just wanted to get permission for a shelter for his horses and to be able to keep the horses on his land.

15. KEITH JEEVES also stated that he was selling the land in about 2 weeks. He was getting quite agitated and said "the plans have been submitted today for it, I've got to get on and help moving it".

16. I spoke to BILL LEE on his plot of land and he said that they are nothing to do with him, he had been trying to find out who was moving in next to him. However, later he was helping them try to get the static caravan in its final place. I took photos of BILL LEE's plot which had not changed since my last visit which I **Exhibit as AC/56 to AC/58. He also told me that it was his dad who spoke to me Saturday 17 May 2025 and the caravan he was referring to was a touring caravan, which if his planning application was approved he would bring onto site.**

17. PATRICK DURR turned up on site who is a planning agent unrelated to this matter, and said he was not working in any capacity but, talked about the council doing a Temporary Stop Notice or another emergency Injunction. He said that the council had already been doing everything in their powers, he thanked LEANNE TARLING and myself for all of our work.

18. We went back into KEITH JEEVES field, they were still trying to get the static caravan into place using 2 vehicles but it had got stuck. KEITH JEEVES said that the unit was for JONNY BIGMORE as he was having problems with his partner and moving here might help them sort things out.

19. The touring caravan had moved its position. We asked if any further units were coming onsite to which they all seemed evasive and turned away and looked awkward saying no.

20. As we were walking to our car a wide load escort vehicle turned up, we asked what they were escorting and they replied another static caravan. The two males who identified themselves as VICTOR MARSH and TREVER JENKINS advised that they were renting the unit to others which was parked on a low loader further down the road. They said they had been told that planning permission had been granted by the person renting the unit from them. We advised that no planning permission had been granted but we could not stop them putting it on the plot they indicated it was going on.

21. BILL LEE and JONNY BIGMORE came out of the field and were talking to us and they seemed quite friendly with each other.

22. As we drove down the road we saw the low loader lorry parked up I took photographs which I **Exhibit as AC/59 toAC/61**

23. On returning to the office I had received a response from Kent County Council regarding the road safety assessment, Looking through the documents the current entrance would need to be changed to make it safe for traffic both on the highway and entering the highway. The email I **Exhibit as AC62** and its attachments I **exhibit as AC/63 to AC/65**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

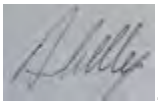
Signed.....  ..... Dated.....30/05/2025.....

Exhibit AC/33 BILL LEE served with court pack.

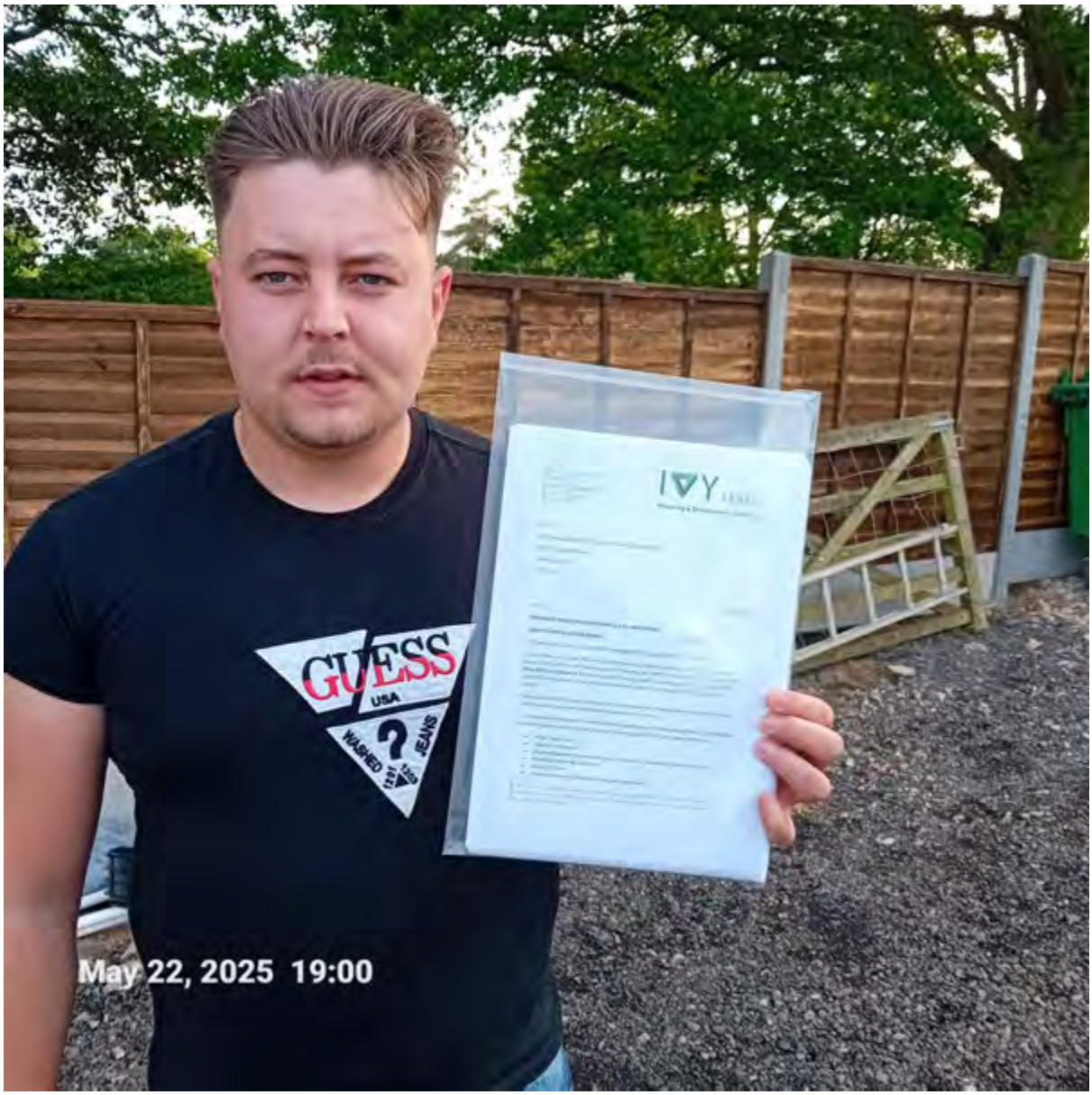
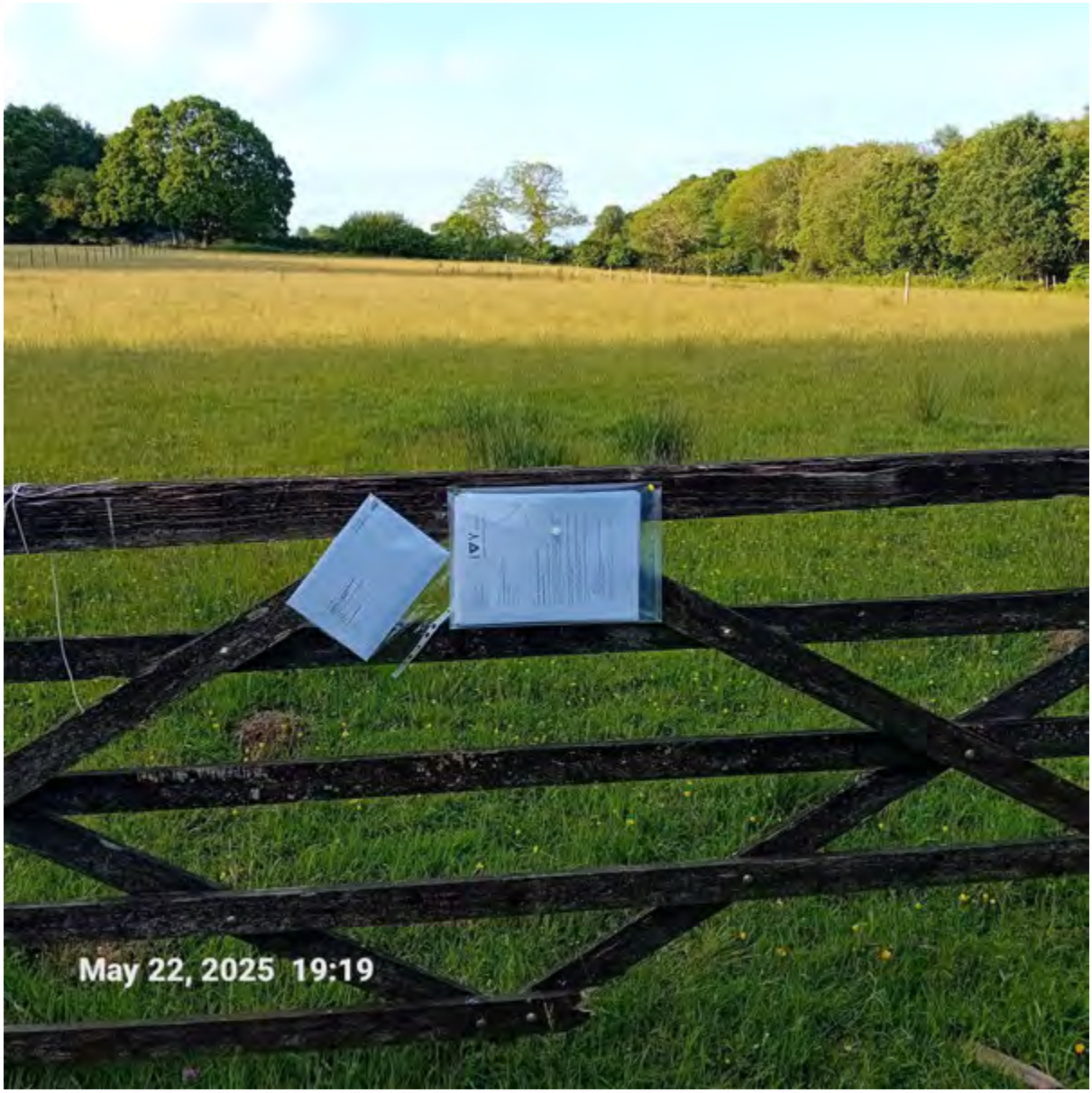


Exhibit AC/34

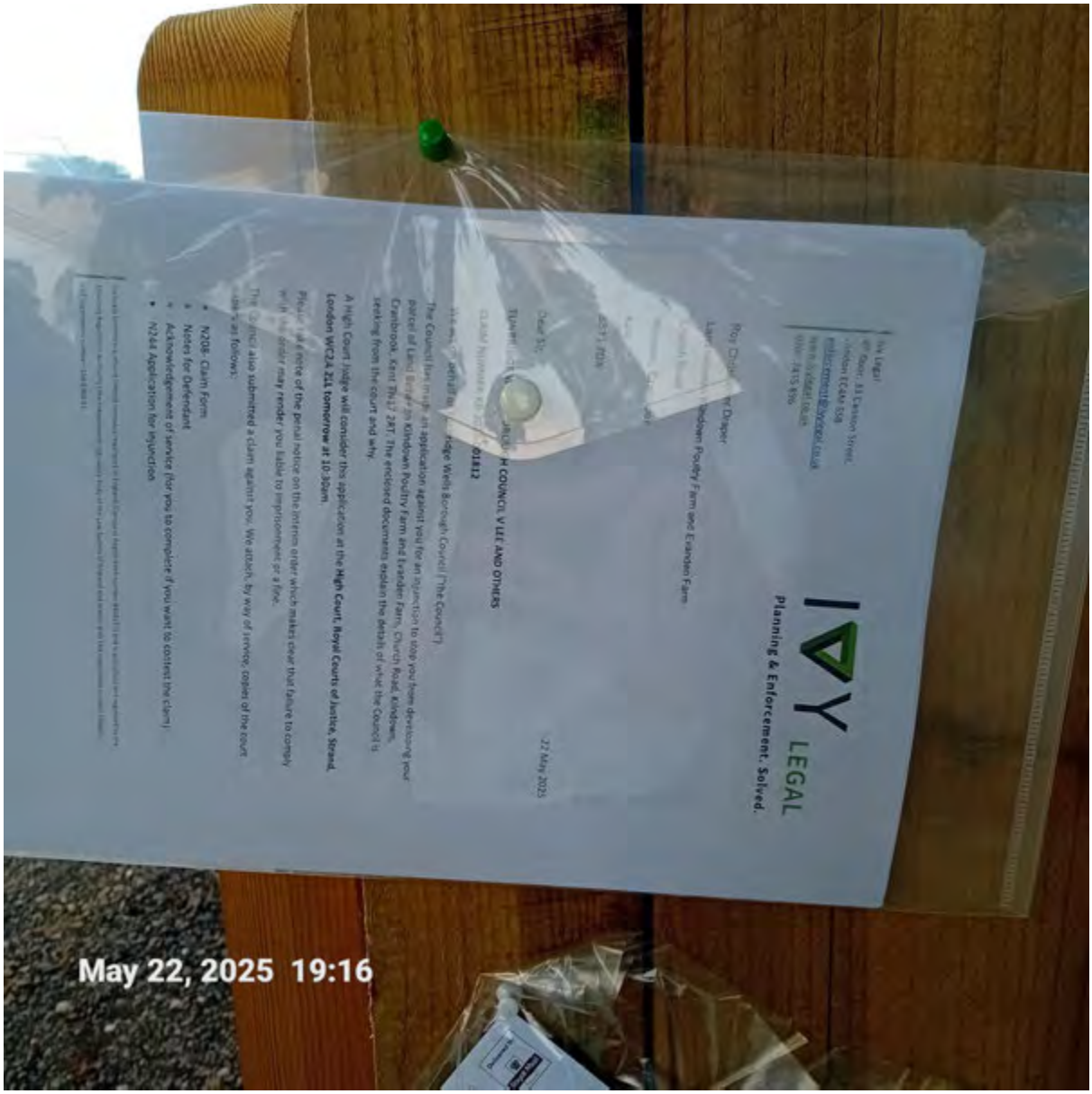
Exhibit AC/35

Exhibit AC/36

AC/37



AC/38



IVY LEGAL

Planning & Enforcement. Solved.

Roy Chapman Draper

Lamberhurst Kindown Poultry Farm and Evander Farm

Dear Sir,

22 May 2025

TUNBRIDGE WELLS BOROUGH COUNCIL V LEE AND OTHERS

CLAIM NUMBER KB-2025-001812

Tunbridge Wells Borough Council ("the Council")

The Council has issued an application against you for an injunction to stop you from developing your parcel of Land Bordering Kindown Poultry Farm and Evander Farm, Church Road, Kindown, Cranbrook, Kent TN17 2RT. The enclosed documents explain the details of what the Council is seeking from the court and why.

A High Court Judge will consider this application at the **High Court, Royal Courts of Justice, Strand, London WC2A 2LL tomorrow at 10.30am.**

Please take note of the penal notice on the interim order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

The Council also submitted a claim against you. We attach, by way of service, copies of the court documents as follows:

- N208- Claim Form
- Notes for Defendant
- Acknowledgement of service (for you to complete if you want to contest the claim)
- N244 Application for Injunction

May 22, 2025 19:16

AC/39

AC/40

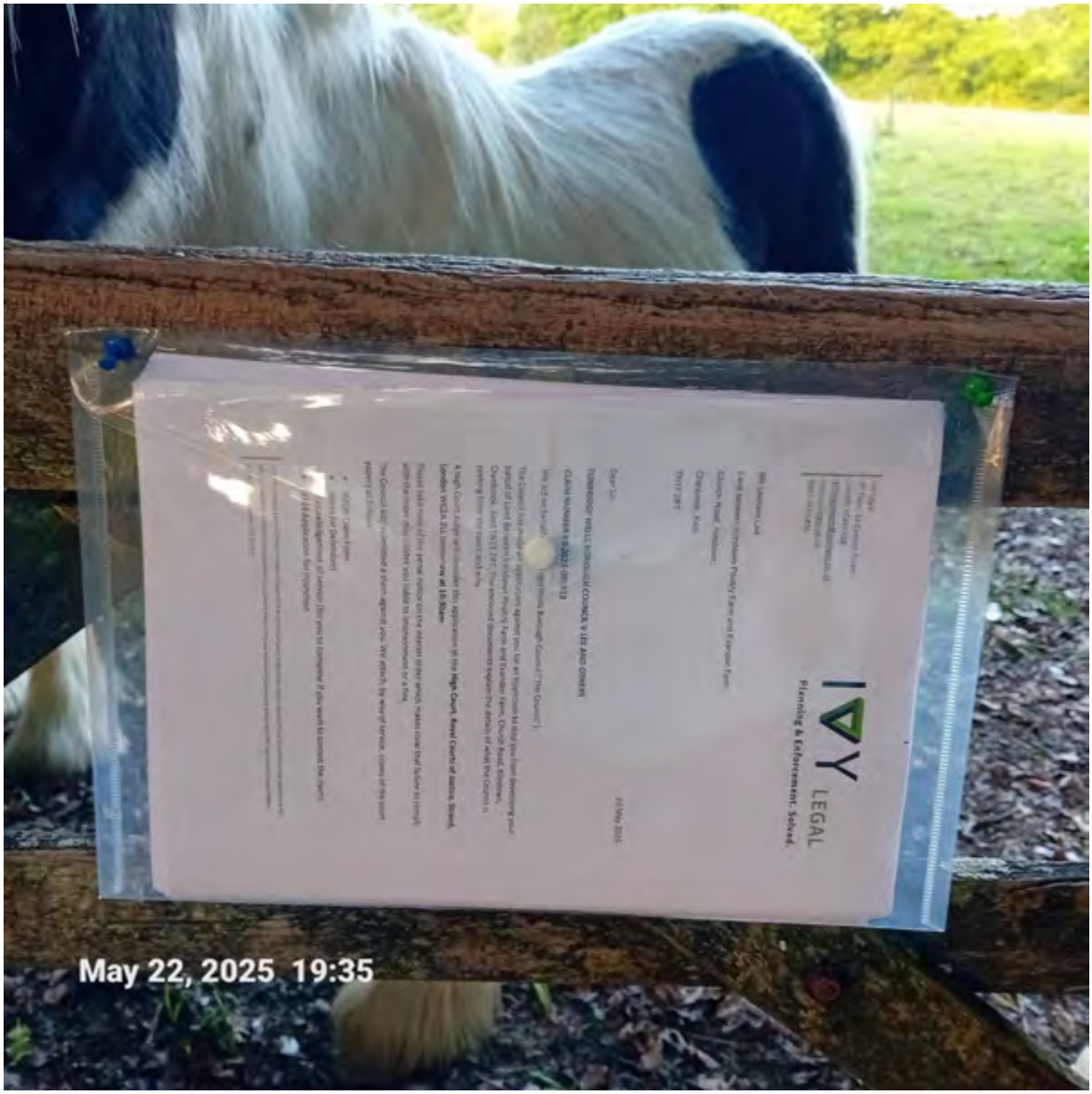
IMPORTANT – THIS COMMUNICATION
AFFECTS YOUR PROPERTY
Land on the South East Side of Church Road
Kingsdown
Cranbrook
Kent
May 22, 2025 19:21

AC/41

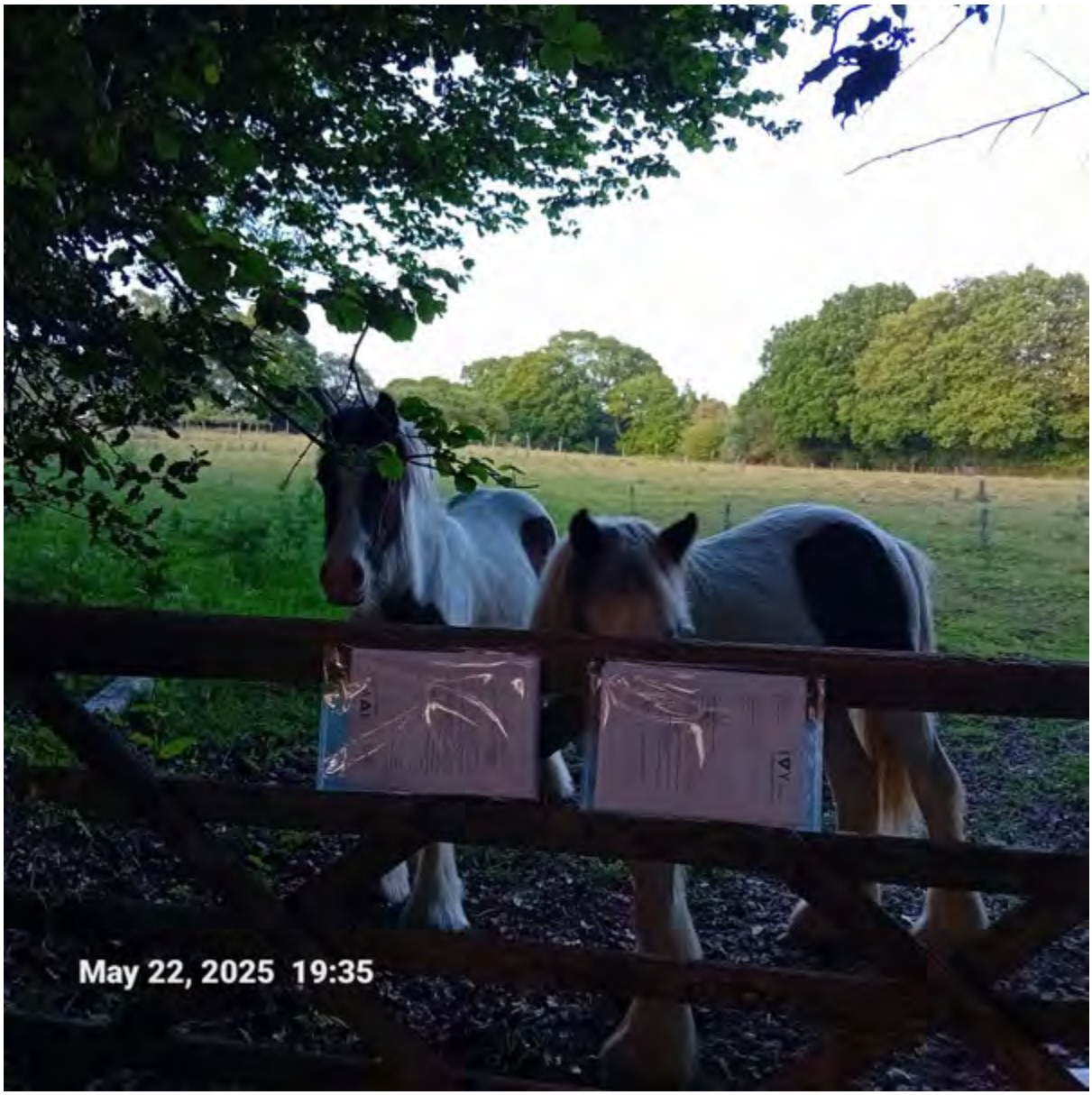
AC/42

AC/43

AC/44



AC/45



Andrew Culley

From: Andrew Culley
Sent: 27 May 2025 17:49
To: Leah.Goldwater@kent.gov.uk; louise.gordon@kent.gov.uk
Cc: Lucinda Roach; Richard Hazelgrove
Subject: Urgent High way safety assessment
Attachments: Entrance2500.pdf; Entrance625.pdf

Good Afternoon,

I am emailing to request an urgent Highway's safety assessment report, this has been requested by the High court on Friday 23 May by Mr Justice Dexter Dias he has requested prior to 6 June 2025 :- ii. Provide an assessment of any highway safety issues at the Land. The full Injunction can be seen on our website https://tunbridgewells.gov.uk/__data/assets/pdf_file/0004/498082/1692364-Kings-Bench-Associates-Order-1.pdf further information on the case is also available @ https://tunbridgewells.gov.uk/planning/enforcement

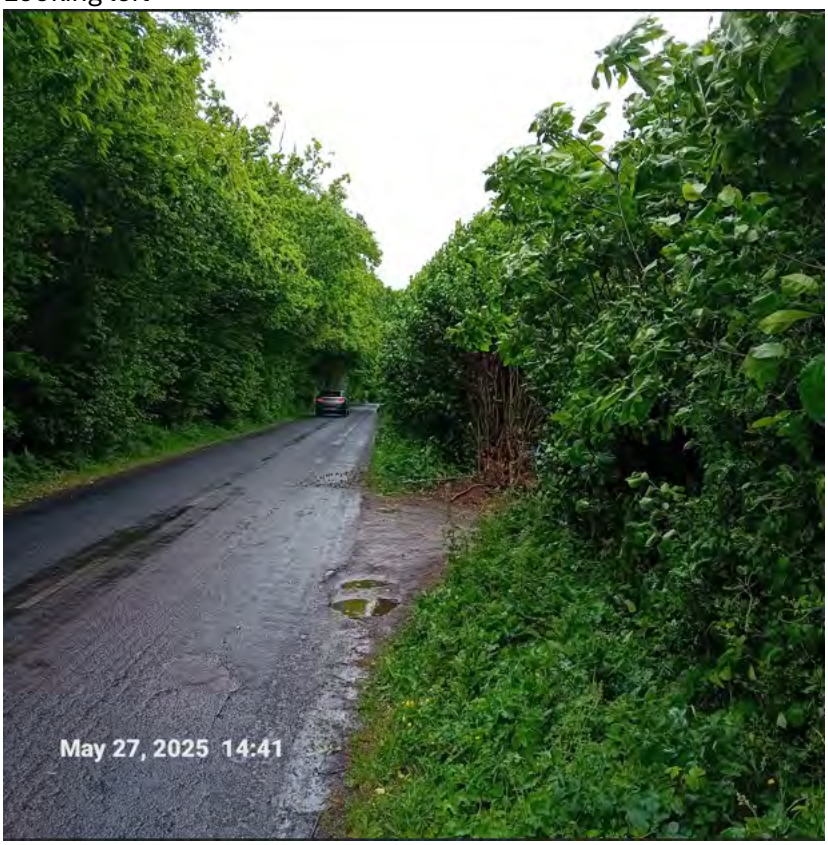
Would you please be able to make an assessment as soon as possible as this will need to be disclosed to all parties prior to the 6 June to give them time to review your findings.

The site currently has a gypsy traveller family residing in a static caravan (without planning permission) on it. The plot of land has been divided into 4 parcels each accessed via this entrance. Of these parcels, 2 have been bought by a relative of the previously mentioned family (who already reside on the site).

To enable you to assess this I have include a map of Church road, Kilndown Cranbrook nearest Postcode TN17 2SE. The Entrance is set back from the roadway by approximately 3.2 meters and is approximately 4 meters wide. When standing on the entrance it has hedges each side I stood at the approximate position a car would be before it entered the high way and took a photo for each view below:

Looking right

Looking left



When looking north up the road view of the entrance

When looking south down the road the entrance is concealed until very close as seen in this photo.

View from inside the entrance (about 6 meters inside) is made of possibly loose road planing's/scalping's.

If you require any further information for this request please let me know.

Kind regards

Andy Culley
Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
Access planning services online at: www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

As has been widely publicised, since 01 April 2017 TWBC publicises applications for planning permission and listed building consent by Site Notice only. Letters are no longer sent to neighbouring properties (except for "larger household prior notifications").

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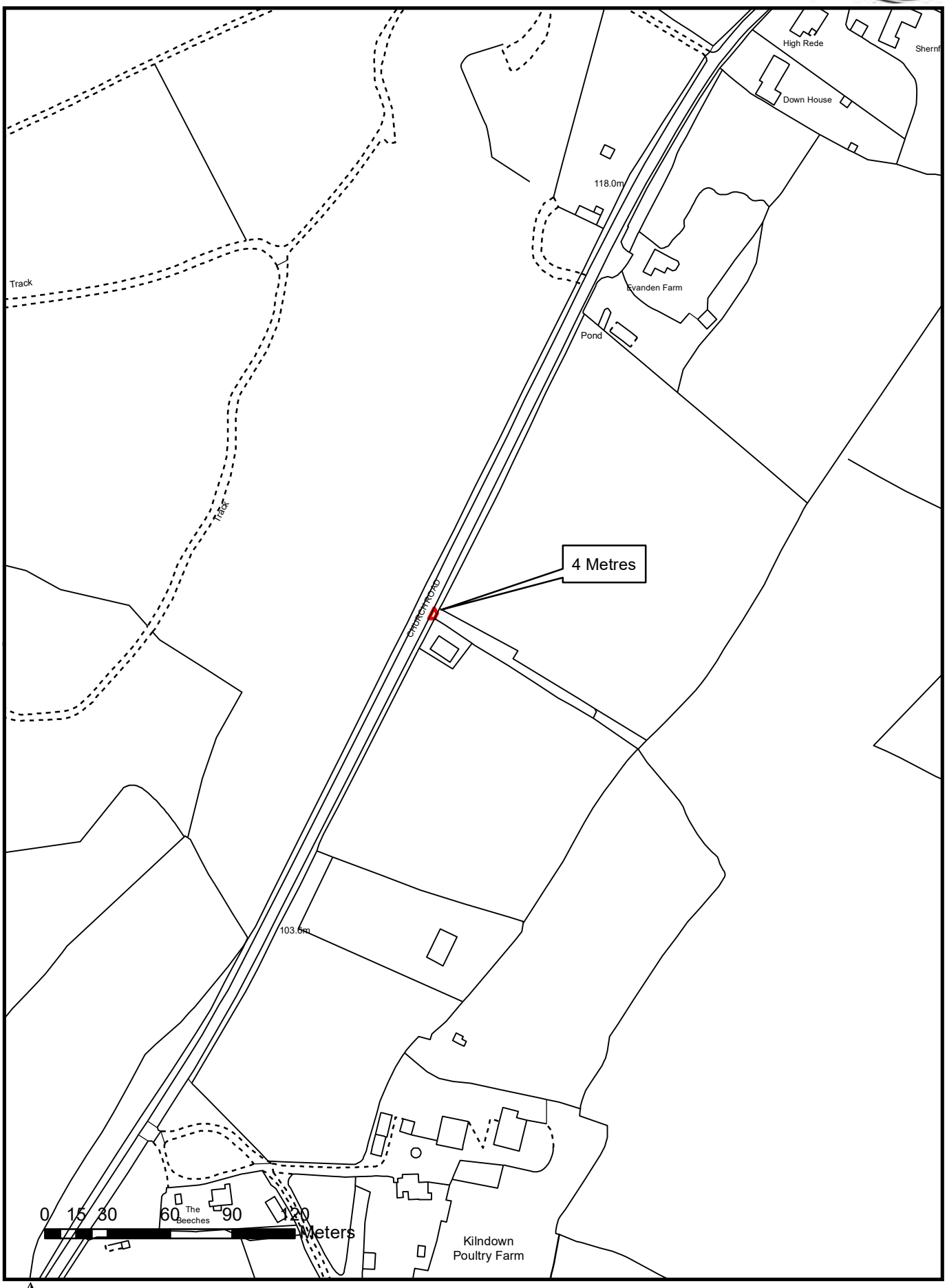
All advice given in this correspondence is given at Officer level only and does not prejudice any future decision this authority may make.

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN



Scale 1:2,500

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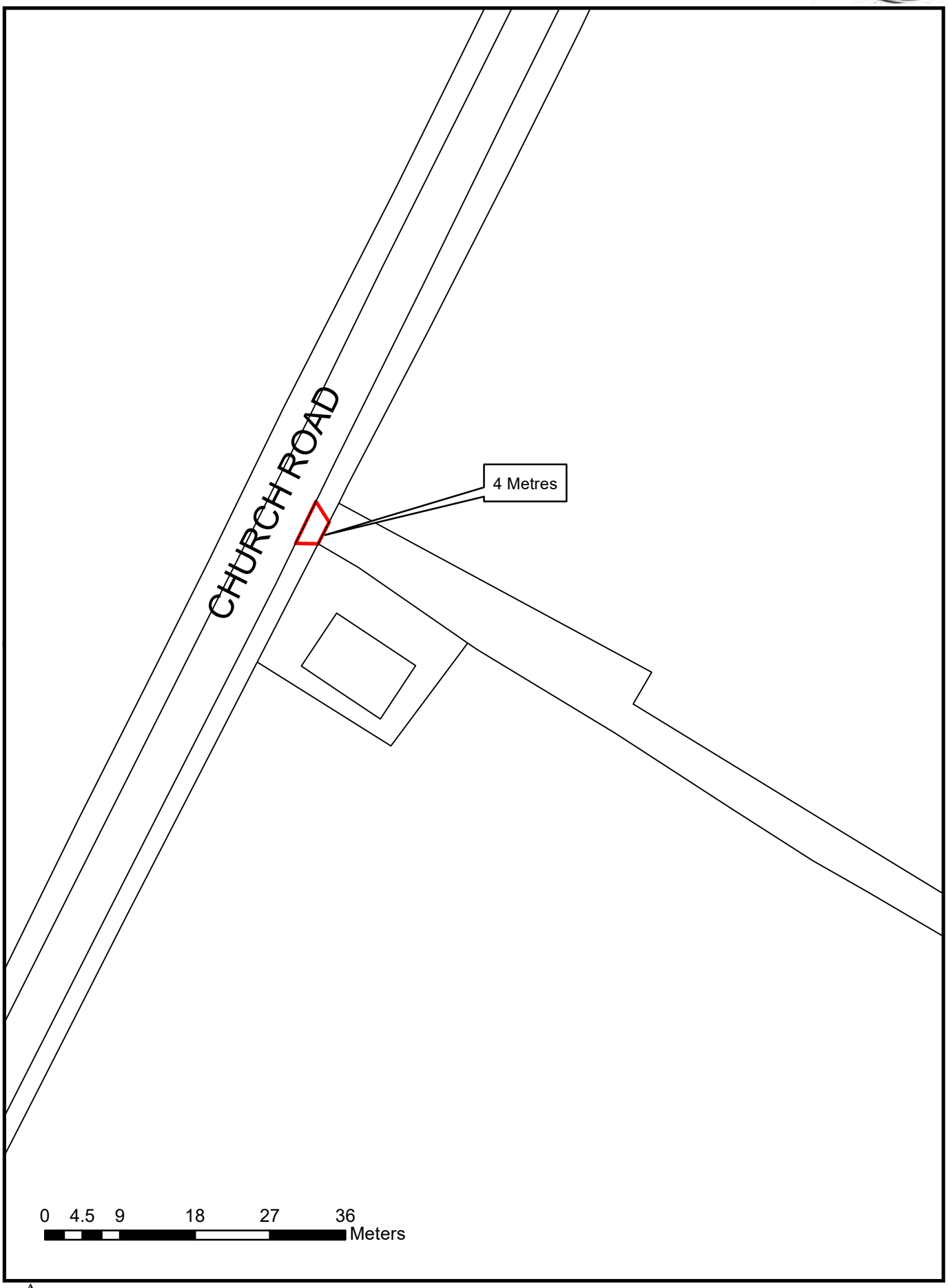
Map Dated: May 2025

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN



Scale 1:625

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Map Dated: May 2025

Exhibit AC/49

AC50

AC/51

Andrew Culley

From: Andrew Culley
Sent: 29 May 2025 17:26
To: wre@southeastwater.co.uk
Cc: Andrew Culley
Subject: Urgent: Detail required for High Court Case
Attachments: Merged Church Road.pdf

Importance: High

Good afternoon,

I am writing to contact you for some information I require for an ongoing case and am due back in front of the High Court on Friday 6 June 2025.

I am requesting the following information under

- Schedule 2, paragraph 2 (1) of the Data Protection Act 2018: https://www.legislation.gov.uk/ukpga/2018/12/schedule/2/enacted

Could you supply me with the following information for each water supply to the Land to east of Church road, Kilndown, Kent. Nearest postcode TN17 2RT which is marked within the red line on the attached map.

1. When the water supply was installed.
2. Location on the map of the supply.
3. Name of person liable for the supply.
4. Class use of the supply (residential Use, Business Use or agricultural Use)
5. Any requests for further installations of water supply within the red line.

I apologise for the short notice of this request but if the information could be provided by the end of Monday 2 June 2025, if you are unable to complete it by this date if you could let me know when you could provide the information by.

If you require further information please let me know.

Kind regards

Andy Culley
Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
Access planning services online at: www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

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All advice given in this correspondence is given at Officer level only and does not prejudice any future decision this authority may make.

Exhibit AC/53

AC/54

AC/55

AC/56

AC/57

AC/58

AC/59

AC/60

AC61

Andrew Culley

From: Leah.Goldwater@kent.gov.uk
Sent: 30 May 2025 13:35
To: Andrew Culley
Cc: Lucinda Roach; Richard Hazelgrove; Louise.Gordon@kent.gov.uk
Subject: Re: Urgent High way safety assessment
Attachments: KCC_Highways_Report_Land_Between_Kilndown_Poultry_Farm_and_Evanden_Farm_Church_Road_TWBC (2).pdf; Response_TW-25-00511-FULL.pdf; Response_TW-25-00511-FULL(1).pdf

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Andrew,

Please find attached the requested report from KCC Highways. I have also attached some previous responses that are referenced within the report.

Kind regards,
Leah

Leah Goldwater | Senior Transport and Development Planner – Tunbridge Wells | Development and Transport Planning West | Kent County Council Highways, Transportation & Waste | KCC Depot, Kroner House, Eurogate Business Park, Ashford, TN24 8XU | Tel: 0300 041 9546

Please Note: *If you wish to make a representation in relation to highways matters associated with a planning application, please make these directly to the Local Planning Authority (LPA). As Local Highway Authority, KCC provide a technical review of planning applications upon receipt of a formal request from the LPA. All planning application consultation requests and information relating to live applications must be made following this formal process via the Local Planning Authority. KCC Highways will aim to provide a response to such requests within 21 days. If we are unable to meet this deadline, we will contact the planning case officer accordingly. We will try to accommodate any requests for quicker responses but cannot guarantee prioritisation.*

From: Andrew Culley <Andrew.Culley@Tunbridgewells.gov.uk>
Sent: Thursday, May 29, 2025 1:23 PM
To: Leah Goldwater - GT TRA <Leah.Goldwater@kent.gov.uk>; Louise Gordon - GT TRA <Louise.Gordon@kent.gov.uk>
Cc: Lucinda Roach <Lucinda.Roach@TunbridgeWells.gov.uk>; Richard Hazelgrove <Richard.Hazelgrove@Tunbridgewells.gov.uk>
Subject: RE: Urgent High way safety assessment

Some people who received this message don't often get email from andrew.culley@tunbridgewells.gov.uk. Learn why this is important

Good afternoon,

Sorry to email again, my legal team have contacted me today asking if a highways' s safety assessment report will be possible by end of Friday as they are looking to serve the court packs on Monday.

Thank you in advance for your assistance with this, please feel free to contact me to discuss or for any additional information you might need.

Kind regards

Andy Culley
Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
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Sent: 27 May 2025 17:49
To: Leah.Goldwater@kent.gov.uk; louise.gordon@kent.gov.uk
Cc: Lucinda Roach <Lucinda.Roach@TunbridgeWells.gov.uk>; Richard Hazelgrove <Richard.Hazelgrove@Tunbridgewells.gov.uk>
Subject: Urgent High way safety assessment

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Looking left

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This e-mail is confidential and intended solely for the use of the individual to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of Tunbridge Wells Borough Council. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please notify Tunbridge Wells Borough Council on telephone +44 (0)1892 526121 or e-mail to info@tunbridgewells.gov.uk.

Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 03000 418181
Date: 30 May 2025
Our Ref: LHG

Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Highway Safety Assessment Report as Requested by Tunbridge Wells Borough Council

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent

Within the timescales of KCC Highways and Transportation (KCC H&T) receiving the request of providing a report relating to highway safety matters, to the deadline, a site visit was not possible. Therefore the following assessment has been made from a desktop review using Google Streetview and the photographic evidence supplied to KCC H&T from Tunbridge Wells Borough Council.

It is noted that an application including a new access at this site had been submitted to Tunbridge Wells Borough Council under ref. TW/25/00511, and was refused by the Local Planning Authority. A copy of KCC H&T's responses are included. The KCC Vehicle Crossover team would need to be consulted with regard to the surfacing and the drainage for the new access.

Checking the crash data that is available to KCC, there are no personal injury or damage only collisions at this location for the last available three-year period (up to 31.12.2024).

The access that has been created is taken from Church Road (C106), which is classified as a minor road. As such, Manual for Streets 2 Guidance would be used to determine the requirements of the vehicular visibility splays from the new access. In the absence of speed surveys, the visibility splay requirements of a new access would need to be provided in accordance with the posted speed limit, which is unrestricted in this location and therefore is 60mph. This requires minimum visibility splays of 2.4m x 215m to the nearside edge of carriageway, in each direction. These splays would be expected to contain no obstructions above a height of 0.9m within, and where there are obstructions these would need to be cut back, repositioned or removed.

Along the section of highway outside of the newly created access, the alignment of Church Road is straight without the presence of bends within a distance of 215m in each direction. Therefore, splays of distance 215m should be able to extend to the nearside edge without entering the carriageway, if assumed to fall across land in the ownership of the applicant and/or highway authority and if clear from obstruction. The definitive highway boundaries are unknown, and the ownership of the hedging and/or vegetation abutting the nearside of Church Road is therefore in unknown ownership. Therefore, it is unclear whether these splays for its

full length would be able to be maintained such that vegetation clearance can be achieved.

From a desktop assessment using Google Streetview and reviewing the photographic evidence supplied to KCC H&T from Tunbridge Wells Borough Council, it is clear that there is currently vegetation either side of the new vehicle access which is obstructing the visibility of a driver when emerging from the site and sitting a point circa 2.4m back from the edge of live carriageway, which restricts the available visibility to a level that is not in line with national guidance. This could encourage a driver emerging from the access to creep into the highway, creating a highway safety risk to oncoming vehicles and cyclists. From Church Road, the access appears concealed and, for vehicles travelling along Church Road, it is not clear that there is an access present which creates a hazard for highway users. Currently, the visibility requirements in line with national guidance do not appear to be achieved as a result of the vegetation obstruction within the required visibility envelope.

The material used at the site entrance appears to be loose, and the highway authority would expect a bound material to be used for at least the first 5m to prevent vehicles picking the material up and scattering on highway and so that wheels of vehicles can grip the surfacing, which would create a highway hazard. The gate would also be expected to be situated a point of at least 6m back from the edge of highway to allow cars to pull off the highway fully and to provide a place to wait whilst the gates can be opened.

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For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have ‘highway rights’ over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance.

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https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:
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Yours faithfully

Director of Highways & Transportation

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Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 03000 418181
Date: 28 March 2025
Our Ref:

Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Application - TW/25/00511/FULL
Location - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown, Cranbrook, Kent,
Proposal - Construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:-

Introduction

The proposals seek approval for the construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection.

Discussion

The applicant intends to create a new access point onto Church Road. Church Road is a 'C' road with an unrestricted speed limit in the vicinity of the proposed access point.
The applicant has submitted a Location and Block Plan (Drawing Reference: 24/21/001 A) detailing the access arrangement, confirming a width of 5m enabling two way traffic movements to be achieved. The annotation claims that visibility splays of 2.4 x 215m can be achieved. This is in line with guidance for a 60mph road. However, the plan does not demonstrate the splays. Drawings should evidence that visibility splays can be achieved within land controlled by the applicant or the highway authority and they can be maintained to ensure there are no obstructions over 0.6 metres above carriageway. This information can be obtained via the below link:
https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries

The personal injury collision (PIC) record has not been provided for the site access however having checked I am satisfied that there are no incidents in the last five years recorded at any of the adjacent accesses or junctions.

The annotated drawing also confirms use of a bound surface for the first 8 metres of the access from the edge of the highway. In addition, gates will be installed 8 metres from the highway edge. This element of the proposal is considered acceptable.

Summary and Recommendation

KCC Highways wish to maintain a holding objection to the proposal on the basis that recommended additional information is provided by the applicant.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

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For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

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Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

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Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 03000 418181
Date: 25 April 2025
Our Ref:

Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Application - TW/25/00511/FULL
Location - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown, Cranbrook, Kent,
Proposal - Construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:-

Introduction

The proposals seek approval for the construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection.

Discussion

KCC Highways has previously provided comments on this application, dated March 2025, which sought additional clarification with respect to the achievability of the visibility splays from the proposed access.

The applicant has submitted a Highway Visibility Splay Plan (*Drawing Reference: 24/21/003*) to demonstrate whether the required visibility splays of 2.4 x 215m in line with guidance for a 60mph can be achieved. Whilst the drawing indicates that the splays can be achieved to the far side of the carriageway, splays should be demonstrated as measured to the nearside carriageway to ensure that all road users, including vulnerable users are included within the assessment of the safety of the access arrangement is determined.

It is indicated that the applicant has evidenced that splays are achievable within land controlled by the highway authority, as highlighted in yellow, it is however, unclear from the drawings submitted where this is indicated. For clarity the applicant should provide this clearly, as it is the responsibility of the promoter to demonstrate land ownership and that required vegetation clearance can be achieved. The relevant information can be obtained via the below link:
https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries

It is considered possible that vehicle speeds may be below the posted speed limit and therefore should it not be possible for the applicant to demonstrate 2.4 x 215m visibility splays

are achievable as described above, KCC Highways would accept reduced splays if lower speeds are evidenced. To do so the applicant should undertake a speed survey in accordance with guidelines provided in CA185 to determine the observed speeds, with 85th percentile speeds calculated according including adjustments for weather conditions, including an addition of 4kph for dry weather conditions.

The proposal is required to obtain both planning permission and separate consent of the highway authority for the proposed vehicle crossover. This approval process should be completed following permission being granted. It is noted from other consultee responses that the access may already be in use without the necessary approvals, KCC Highways is currently investigating this.
Details of the approval process can be found in the following link:
https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb

Summary and Recommendation

KCC Highways wish to maintain a holding objection to the proposal on the basis that recommended additional information is provided by the applicant.

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Yours faithfully

Director of Highways & Transportation

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Statement on behalf of the Claimant
Witness: Leanne Tarling
2ndStatement
Dated: 15/05/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN

DEFENDANTS

SECOND WITNESS STATEMENT OF LEANNE TARLING

I, Leanne Tarling, Planning Investigation Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS

WILL SAY as follows:-

1. My duties as a Planning Investigation Officer include investigation of, and enforcement against, breaches of planning control in the Borough of Tunbridge Wells.
2. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated. The Claimant makes an urgent application without notice for injunctive relief against further named defendants and further land.

3. On 23rd May 2025 I visited the Land Between Kilndown Poultry Farm And Evanden Farm, Church, Road, Kilndown, Cranbrook Kent with my colleague Pip Preston (Planning Investigations Officer) under the enforcement case reference 25/00094/OPDEV. This was to reserve the Sealed Injunction Order reference **********

4. I served a notice to 'Persons unknown' as evidenced in exhibit LT1 and LT2 on the gated entrance to Curtis Love's plot on Church Road, and again at the opposite end of his plot as evidenced in exhibit LT10 and LT11. I then walked to Bill Leonard's plot and met his partner Kelsey Stevens and served her with both Bill Leonard Lee, and Bill Lee's injunction on her request, as evidenced in exhibit LT3 At this time no further development had

occurred on his plot. On leaving this plot I displayed the injunction for Roy Christopher Draper and Persons unknown on the post, as evidenced in exhibit LT4, LT5 and LT6. I displayed the injunction for Wesy Bill Wally Lee and persons unknown on the gated entrance to his plot as evidenced in exhibit LT7, LT8 and LT9. I served notice to Albie John Wilkins and persons unknown on the gate to his plot, as evidenced in exhibit in LT12, LT13 and LT14. The injunction was also served to persons unknown shown in two locations, one besides Keith Jeeves lawful entrance as shown in exhibits LT17 and LT18 and again on the entrance to the further field as evidenced in exhibits LT15 and LT16.

5. At the time of serving this Injunction I noted no obvious additional development from what I have previously witnessed on site on any of the plots.

6. On 30th May 2025 at 12.34pm I revisited the site known as the Land Between Kilndown Poultry Farm And Evanden Farm, Church, Road, Kilndown, Cranbrook Kent with my colleague Andrew Culley (Planning Compliance Officer) to investigate concerns of additional mobile homes being brought onto the land. On arrival there was a low loader blocking Church Road that had a large static mobile home on the back of it. The low loader was entirely blocking the road, with half of the mobile home on Church road still and the other half on the land owned by Keith Jeeves as evidenced in exhibits LT19 and LT20. The low loader was using the current unlawful entrance off Church Road over which Tunbridge Wells Borough Council has issued an enforcement notice to reinstate the hedgerow.

7. On arrival we walked around the mobile home, having to walk through Keith Jeeves land to get to the other side where we were greeted by two police officers and several members of the public, some of whom are Parish Councillors. The police officer asked me to confirm the situation in terms of planning, so as to ascertain whether there was anything illegal occurring. I confirmed that there are currently two enforcement notices that have been served on the fields, one which affects the current field in question but that they had not yet come into effect and wouldn't be for approximately 2 weeks. I also explained that there is an injunction on some of the land (4 separate plots) and confirmed that the scope of the injunction did not include this piece of land owned by Keith Jeeves, which is the land in question. I explained that we had asked the court to serve the injunction on all plots across these fields, for fear of additional unauthorised development, but that at the time of the hearing the Judge did not feel there was justification (for the without notice application). I confirmed to the police officer, and the nearby public who were listening, that there is currently no planning permission for the mobile home to be on the land, and that in planning terms this is not acceptable and is a breach in planning, although there was no criminal offence taking place at this point.

8. I then briefly spoke with a resident/member of the neighbourhood group who identified himself as Rob Weighell to reiterate what I had just said to the police officer. I explained I was going to go and speak with the people onsite to investigate what was occurring, and that once we had carried out our onsite checks we would be returning to the office to speak with our colleagues and legal team. I explained that although frustrating, both the Council and the police are not able to physically stop the mobile home from going onto the land at that moment in time.

9. Amongst the public was Ed Readcutting and his wife who are involved in the neighbourhood group also. One of them, I believe his wife had alerted us to the fact that the delivery driver of the mobile home had been assaulted earlier on in the day, but had chosen to not press charges. One of the women in the public gathering informed me that she had caught the assault on video. The video has since been emailed to me by Sarah Baughurst. In the video it clearly shows Keith Jeeves shouting at one of the delivery men, he lunges forward as if to punch the man, but doesn't, he does however appear to slap the man in the face whilst shouting "get the trailer off, do you understand, do you?". One

of the public also informed us that a friend has seen another mobile home being driven up the A21 in our direction, though we were unsure if it was coming to the site at this time.

10. After speaking with both the police and the neighbours, one of the men from inside Keith Jeeves' land came out to me and handed me his phone. He told me his planning agent was on the phone and wanted to speak with me. I then spoke for a while with Stuart Carruthers (the planning agent) who explained he was working on behalf of the man who handed me the phone, Jonny Bigmore, and that he had put an application into TWBC today and that all information I need will be in that. I asked what the intention was which he replied that he was applying for a change of use of the land for 2x pitches for a caravan site for Jonny Bigmore and Bonnie Harbour to reside onsite with their two children. He was matter of fact explaining that there is no harm to the AONB, essentially assuring me that it would be approved. I explained that this would not be for me to decide, but a planning officer, and explained that nothing should be brought onto the land, prior to an approved application. He responded that they have nowhere else to go. I took notes of the agent's name, email and telephone number and handed the phone back to Jonny.

11. Once I had finished speaking with the agent I was able to go onsite where there were 9 men all on or around the land owned by Keith Jeeves, Title number TT171757. Of these men, two are known to me as Keith Jeeves (owner of the land) and Bill Leonard Lee who is currently residing (unlawfully) on an adjacent field. When asked, one identified himself as Ted Jeeves, son of Keith Jeeves, one claimed to be one of the men's fathers though didn't indicate whose, one is Jonny Bigmore, two others did not disclose their names but said they were father and son and were just there "to help". Two other men whose names are unknown were there to deliver the mobile home.

12. Firstly I spoke with Keith Jeeves, being the land owner to ask him what was going on. He explained that he had nowhere to live and that he needs to live on the land, in his tourer as exhibited in LT21 and LT24 with his son. He said that others would be living in the mobile home, and that he intends to stay on the land for a couple of weeks then sell the land soon and leave. I asked about his residence in Swanley that we are aware of from his Land Registry to which he claims that is his sister's home he uses for letters etc. When asked, Keith explained he was originally from Clacton, then after splitting from his wife moved to Headcorn where he tried to stay in his caravan but I believe he was moved on. He then walked off to help with moving the mobile home. This was all in contrast to information Keith Jeeves has provided to Council officers previously.

13. I was trying to speak with Jonny to gather more information from him regarding his plans and his family, however he was being pulled away to aid in stationing the mobile home into position. Jonny was quite evasive with me, seemingly not wanting to answer my questions, or looking to others almost for confirmation as to whether he could answer me. This is when I briefly spoke to the older gentleman who claimed to be "one of the boys' dads", but he did not indicate whose, and again, he was called away by the others to go and assist them. Before he was called away he made claims to one of the women being racist towards his family, which was why he was there to look after them, he planned to make a complaint about them, but I am unsure who he meant specifically or who the complaint would be made to.

14. As this point we walked over to Bill Leonard Lee's land to speak with him to investigate if there was a connection between the parties. Bill claimed to not have met or known any of the people involved, besides Keith Jeeves being a neighbouring land owner. He said he woke this morning to see the mobile home being driven onto the site. He went onsite to see who it was and what they were doing. Onsite Bill's partner confirmed her name as Kelsey to Andrew Culley as they had not previously met. Bill later confirmed her full name to be Kelsey Stevens, and confirmed the ages of their children to be 2, 4, 6 and 8 years old. During these conversations Terry Hughes, our Community Safety Manager joined us onsite on Bill's residential plot. I explained to Bill that Terry is likely to undertake a welfare

check on him and his family. Terry informed me that a local known planning agent Patrick Durr was on the lane and wanted to speak with us.

15. I walked to the top of the lane and met Patrick Durr and Ed Readcutting on Church Road. Patrick wanted to speak with me from a planning perspective so that he could relay the situation back to the local residents, himself being one of them. We spoke in planning terms regarding the Enforcement Notices and injunctions on the land, along with the reasoning as to why Keith Jeeves plot had been excluded by the judge from the injunction. He expressed his opinion on serving a Temporary Stop Notice on the land which could be effective immediately, to which I replied we are likely to do so, and will consult our internal legal team once we are back in the office. Patrick spoke to me regarding his history working with specific land-owners who are in connection with the land that has been covered in the Enforcement Notices and Injunction. These people included Michael Larter and Curtis Love's Dad, who Patrick told me is a Gypsy/Traveller.

16. I then went back onto the site to attempt to speak with Jonny Bigmore further, to better understand his situation and family. The attitude of the men was quite dismissive and evasive and they all clearly wanted us to leave, not necessarily hostile but very evasive.

17. I asked one of the unknown men if they intended on living or staying on the land to which he replied "yes with my dad". He then confirmed his name was Ted Jeeves, and he would be living with his dad in the mobile home. Keith also mentioned at this point when I asked if anyone else would be staying with them, that his three other children, ages 12, 13 and 15 would be staying with them at weekends.

18. The group were keen for us to leave seemingly so they could manoeuvre the mobile into position as they were having great difficulty doing so. I explained I needed to speak with Jonny to ask him additional questions, to which I was told "everything's in the application". Jonny was clearly uncomfortable speaking with me as if unsure whether he should be speaking to me or not. I asked Jonny how old his children were, and he replied 9 and 7 years old. I asked Jonny if he was planning to live in the mobile home on site, exhibit as LT28 and LT29 and if so, who with, Jonny mentioned that him and his partner were having troubles so his family would reside in it, and he would be in the tourer.

19. There was some confusion over who was staying where, as at this point there was one tourer and one static mobile on the land, and I had been told different things by Jonny, Keith, Ted, and the planning agent Stuart Carruthers as to who was staying where. I then asked the group if any additional mobile homes, caravans or tourers were being brought onto the land and told them they may as well be honest as we will inevitably find out, to which most of them then turned their heads away, and one voice claimed "no". I explained that the application submitted (reference 25/1299/FULL) is suggested for 3 static caravans and 2 tourers. Everyone on site was dodging the question about who was living where, and what was being brought onto the site. Keith and the unknown father was asking us to leave so they could get on, and to come back later or tomorrow.

20. At this point, I felt we had gathered as much information as we could at the time, so we left the site. As we walked to the car to leave, a 'wide load' warning car was driving towards the site. We stopped the car in the road and I asked the driver (later identifying himself as Victor Marsh working for C Jenkin and Son), if there was a mobile home behind him which he replied "yes at the end of the road". He asked whether it was allowed on site to which I replied that there was no planning permission for it, or anything else that was currently on the land. I explained the current injunction which the land was excluded from, as well as the Enforcement Notice on the land. Victor told us that they were leasing the mobile unit to the people onsite. The elder gentleman, Trevor Jenkins, said that he had asked the renters whether they had planning permission, which they were lead to believe they had. I advised both Victor and Trevor that in future they can either check online or contact us

directly prior to delivering to another site. Andrew handed Victor his business card which I added me detail on. . Whilst speaking with the delivery guys, Victor Marsh explained the home was “ready to move into”, essentially leading us to believe people would be moved in imminently.

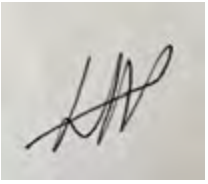
21. Jonny Bigmore and Bill Leonard Lee then came out onto the road where we were stood with the delivery men. Jonny confirmed the mobile home was going on site. I asked Jonny at this point where he had come from, he claimed he was sofa surfing in Orpington, and that Bonnie Harbour was coming from a caravan site in West Malling. I also asked if he knew of Jeeves prior to today, how he knew of the land, he said that him and Keith knew each other before today, but didn’t express how or for how long. I asked Jonny again if anything further was being brought onto the land today, again he was evasive and dismissive, not wanting to give any clear and concise answers. When asked again about the living situation, Jonny said that Bonnie Harbour would reside in one mobile, and him in another. Again, giving conflicting information regarding to who plans to reside where.

22. The interactions leave the Council in the position of fearing further works and unlawful development will take place.

23. Andrew and I then left the site, passing the second mobile home that was awaiting to be brought onto the land further down the road as exhibited as LT32, LT33, LT34 and LT35.

24. As Keith Jeeves made reference to still owning the land but intending to sell it, once back in the office I checked the current details on Land Registry which confirms that Keith Jeeves is the current owner with no current pending titles, as evidenced in exhibit LT36, LT37 and LT38. This information is in conflict with the information provided in the planning application received (reference 25/01299/FULL) by the Council (not valid) which confirms that the applicants are the owners. The application states that Ms B Harbour is the sole owner, as exhibited as LT39, LT40 and LT41. In short, information being presented to the Council is confused, conflicting and fluid.

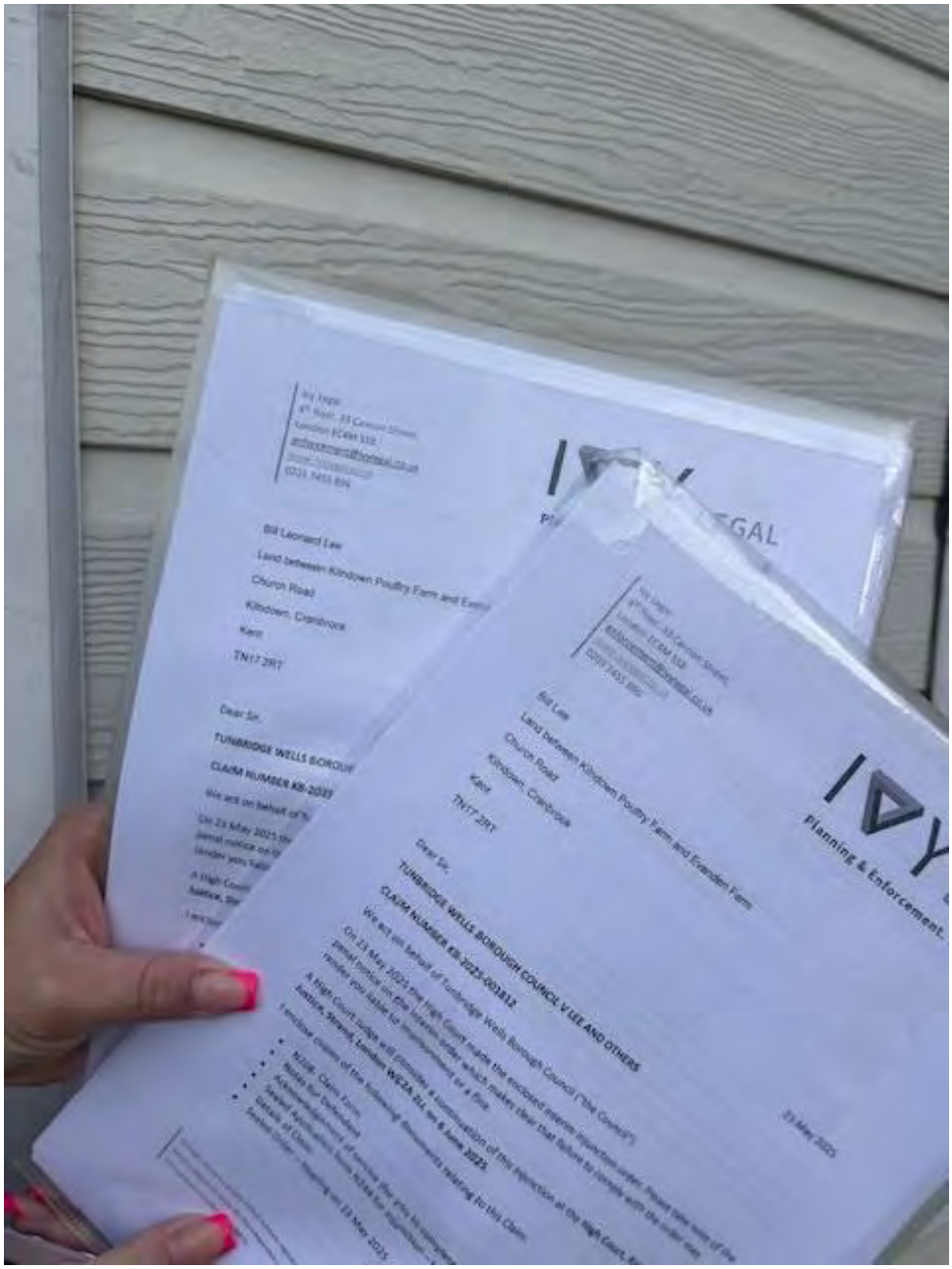
I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: 

Date:30.05.2025

LT1

LT2


Bill Leonard Lee
Land between Kilndown Poultry Farm and Evenden Farm
Church Road
Kilndown, Cranbrook
Kent
TN17 2RT
Dear Sir,
TUNBRIDGE WELLS BOROUGH COUNCIL V LEE AND OTHERS
CLAIM NUMBER KB-2025-001312
Planning & Enforcement
LT3

LT4

Sky Legal
4th Floor, 33 Cannon Street,
London EC4M 5SB
enforcement@skylegal.co.uk
0203 7455 896

Planning & Enforcement. Solved.

Persons Unknown
Land between Kindown Poultry Farm and Evanden Farm
Church Road
Kindown, Cranbrook
Kent
TN17 2RT

23 May 2025

Dear Sir/Madam,

TUNBRIDGE WELLS BOROUGH COUNCIL V LEE AND OTHERS

CLAIM NUMBER KB-2025-001812

We act on behalf of Tunbridge Wells Borough Council ("the Council").

On 23 May 2025 the High Court made the enclosed interim injunction order. Please take note of the penal notice on the interim order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

A High Court Judge will consider a continuation of this injunction at the **High Court, Royal Courts of Justice, Strand, London WC2A 2LL on 6 June 2025.**

I enclose copies of the following documents relating to this Claim:

- N208: Claim Form
- Notes for Defendant
- Acknowledgement of service (for you to complete if you want to contest the claim)
- Sealed Application form N244 for injunction – hearing on 23 May 2025
- Details of Claim
- Sealed Order – hearing on 23 May 2025

LT5

LT6

LT7

Ivy Legal
4th floor, 23 Cannon Street,
London EC4M 5SB
enforcement@ivylegal.co.uk
www.ivylegal.co.uk
0203 7455 096

IVY LEGAL
Planning & Enforcement. Solved.

Persons Unknown

Land between Kilndown Poultry Farm and Evenden Farm

Church Road

Kilndown, Cranbrook

Kent

TN17 2RT

Dear Sir/Madam,

23 May 2025

TUNBRIDGE WELLS BOROUGH COUNCIL V LEE AND OTHERS

CLAIM NUMBER KB-2025-001812

We act on behalf of Tunbridge Wells Borough Council ("the Council").

On 23 May 2025 the High Court made the enclosed interim injunction order. Please take note of the penal notice on the interim order which makes clear that failure to comply with the order may render you liable to imprisonment or a fine.

A High Court Judge will consider a continuation of this injunction at the **High Court, Royal Courts of Justice, Strand, London WC2A 2LL on 6 June 2025**.

Enclosed copies of the following documents relating to this Claim:

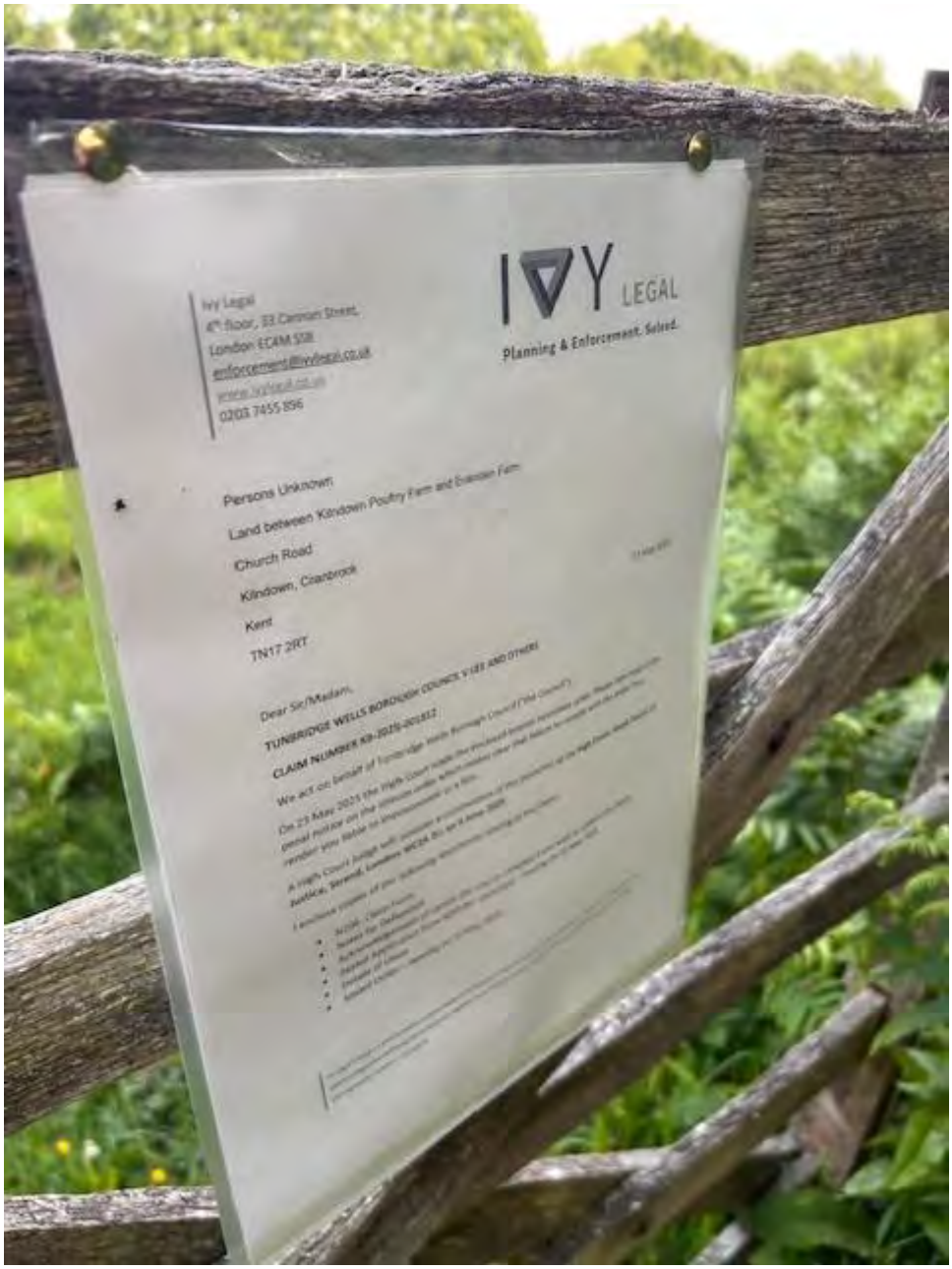
- N208: Claim Form
- Notice for Defendant
- Acknowledgement of service (for you to complete if you want to contest the claim)
- Deed Application form N244 for injunction – Hearing on 23 May 2025
- Details of Claim
- Sealed Order – hearing on 23 May 2025

Planning & Enforcement
Persons Unknown
Land between Kilndown Poultry Farm and Evander Farm
Church Road
Kilndown, Cranbrook
Kent
TN17 2RT
Dear Sir/Madam,
TUNBRIDGE WELLS BOROUGH COUNCIL V LEE AND OTHERS
CLAIM NUMBER KB-2025-001812
We act on behalf of Tunbridge Wells Borough Council ("the Council")
Justice, Strand, London WC2A 2LL on 8 June 2025
I enclose copies of the following documents relating to this Claim:
N208- Claim Form
Notes for Defendant
Details of Claim
LT10

LT11

Ivy Legal
4th floor, 33 Cannon Street,
London EC4M 5SB
enforcement@ivylegal.co.uk
www.ivylegal.co.uk
0203 7455 896
IVY LEGAL
Planning & Enforcement. Solved.
Albie John Wilkins
Land between Kilndown Poultry Farm and Evenden Farm
Church Road
Kilndown, Cranbrook
Kent
TN17 2RT
Dear Sir,
TUNBRIDGE WELLS BORDUGH COUNCIL V LEE AND OTHERS
CLAIM NUMBER K9-2025-001812

LT12


Ivy Legal
4th floor, 33 Cannon Street,
London EC4M 5SB
enforcement@ivylegal.co.uk
0203 7455 896
IVY LEGAL
Planning & Enforcement. Solved.
Persons Unknown
Land between Kindown Poultry Farm and Brannon Farm
Church Road
Kilndown, Cranbrook
Kent
TN17 2RT
Dear Sir/Madam,
TUNBRIDGE WELLS BOROUGH COUNCIL V UES AND OTHERS
LT13

LT14

LT15

LT16

LT17

LT18

LT19

LT20

LT21

LT22

LT23

LT24

LT25

LT26

LT27

LT28

LT29

LT30

LT31

LT32

LT33

LT34

LT35

HM Land Registry
Current title plan

Title number **TT171757**
Ordnance Survey map reference **TQ6934SE**
Scale **1:2500**
Administrative area **Kent : Tunbridge Wells**

This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 30 May 2025 at 19:19:10. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Nottingham Office.

LT36

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 30 MAY 2025 AT 15:13:02. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171757

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land lying to the south-west of Evanden Farm, Kilndown, Cranbrook (TN17 2RT).

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (08.08.2024) The land has the benefit of any legal easements reserved by a Transfer of the land lying to the north of the land in this title dated 8 August 2024 made between (1) Michael Larter and (2) Curtis Love but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed under TT171000.

4 (11.11.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 23 August 2024 made between (1) Michael Larter and (2) Keith Jeeves but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

5 (11.11.2024) The Transfer dated 23 August 2024 referred to above contains a provision as to light or air and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (03.09.2024) PROPRIETOR: KEITH JEEVES of 22 Hibbs Close, Swanley BR8 7FA.

2 (03.09.2024) The price stated to have been paid on 23 August 2024 was £138,000.

Title number TT171757

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land subject to the following rights reserved by a Conveyance of the land in this title and other land dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan. The position of the drain shown by a green line referred to does not affect the land in this title.

2 The land is subject to any rights that are granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft.

NOTE:-Copy filed under K366235.

3 (14.05.2004) The land is subject to the rights reserved by a Transfer of land on the north east side of the land in this title dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent TN1 1RS
planning comments@tunbridgewells.gov.uk

Tunbridge Wells Borough Council

Application for Planning Permission

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

The Barnfield

Address Line 1

Church Road

Address Line 2

Address Line 3

Town/city

Kilndown

Postcode

TN17 2RT

Description of site location must be completed if postcode is not known:

Easting (x)

569641

Northing (y)

134461

Description

LT39

Caravan site on Church road

Applicant Details

Name/Company

Title

Ms

First name

B

Surname

Harbour

Company Name

Address

Address line 1

The Barnfield Church Road

Address line 2

Address line 3

Town/City

Kilndown

County

Country

Postcode

TN17 2RT

Are you an agent acting on behalf of the applicant?

(x) Yes
( ) No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- (x) Yes
- ( ) No

Is any of the land to which the application relates part of an Agricultural Holding?

- ( ) Yes
- (x) No

Planning Portal Reference: PP-14057199

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- ( ) The Applicant
- (x) The Agent

Title

First Name

S

Surname

Carruthers

Declaration Date

29/05/2025

[x] Declaration made

LT41

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-001812
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE THE HONOURABLE MR JUSTICE DEXTER DIAS

DATED 30th May 2025

B E T W E E N : -

KB-2025-001812

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) KEITH JEEVES
(2) TED JEEVES
(3) CURTIS LOVE
(4) BONNY HARBOUR
(5) JONNY BIGMORE
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number TT171000, TT171757)

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED: KEITH JEEVES, TED JEEVES CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT

1. This Order prohibits you from doing the acts set out in this Order. You should read the terms of the Order and the guidance notes very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge the Order.

2. If you disobey this order you may be found guilty of Contempt of Court and may be sent to prison or fined. In the case of a Corporate Defendant, it may be fined, its Directors may be sent to prison or fined or its assets may be seized.

On the 30th May 2025 Mr Justice Dexter Dias considered the Application brought by Tunbridge Wells Borough Council ("the Claimant") for an injunction supported by the Witness Statements listed in Schedule A and accepted the undertakings listed in Schedule B at the end of this Order.

UPON reading the witness statements listed in Schedule A, skeleton argument for the Claimant and upon accepting the undertakings listed in Schedule B

IT IS ORDERED THAT UNTIL 6th June 2025 OR FURTHER ORDER:

THE INJUNCTION

1. In relation to the Land known as “Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent” registered at HM Land Registry under Title Numbers TT171000, TT171757 (the Land) as shown edged red on the attached plan, the Defendants whether by themselves or by instructing, encouraging or permitting any other person must not use the Land or carry out works to the Land in breach of planning control and, in particular, must not:

    i. Allow the use of the Land for human habitation or residential occupation or any other purpose in breach of planning control;
    ii. Bring onto the Land any touring caravans and/or mobile homes (over and above the two mobile homes and one touring caravan existing on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;
    iii. Bring /erect/install any buildings or structures on the Land for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;
    iv. Bring onto the Land any portable structures including portable toilets and any other further items and paraphernalia for purposes associated with human habitation or residential occupation or any other purpose in breach of planning control;
    v. Bring onto the Land any further waste materials and/or hardcore and/or like materials for any purpose, including the further creation/laying of hardstandings or hard surfaces, in association with the use of Land for the stationing of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;
    vi. Carry out any further works in relation to the formation of paths, roadways or any works including the provision of sewerage, water and electricity infrastructure associated with the use of caravans and/or mobile homes for the purpose of human

habitation or residential occupation or any other purpose in breach of planning control;

vii. Carry out any further works to the Land associated with or in preparation for its use for stationing caravans/or mobile homes or for the erection of a building and/or any structure for human habitation or residential occupation or any other purpose in breach of planning control;

viii. Undertake any further development on the Land as defined in section 55 of the Town and Country Planning Act 1990 without the express grant of planning permission.

IT IS FURTHER ORDERED THAT:

ALTERNATIVE SERVICE

2. Service of this Order and related documentation may be effected by:
    a. the posting of the said Order, the Application Notice, the Claim Form and evidence in support of the Application and any future documentation in a transparent waterproof envelope in a prominent position on the Land;
    b. advertisement on the Claimant's website and social media sites which it considers might be reasonably bring this Order to the attention of the Defendants;
    c. service at any mobile homes, caravans, static homes of other dwellings already on the Land

    and such posting/advertisement in accordance with a. and/or b. and/or to c. above shall be deemed to be good and sufficient service on the Defendants of the said Order, the Application Notice, Claim Form and evidence in support of the Application and any future documentation on the date it was so affixed.

VARIATION OR DISCHARGE OF THIS ORDER

3. The Defendants may each of them (or anyone notified of this Order) apply to the Court on 48 hours written notice to the Claimant's legal representatives to vary or discharge this Order (or so much of it as affects that person). Except that the hours between 5pm on any Friday and 9am on any Monday cannot be counted as part of the 48 hours' notice period.

4. Any person, other than the First-Fourth Defendants, who wishes to be heard under paragraph 3 must apply to the court to be added as a named defendant to these proceedings and must provide their names and contact details in the application.

COSTS OF THE APPLICATION

5. Costs reserved.

6. Liberty to apply.

SEALING OF THE ORDER

7. In the event that this Order cannot be sealed before service, it should be noted that the Order has legal effect from 21:16 Friday 30 May 2025 notwithstanding its subsequent sealing.

GUIDANCE NOTES

Effect of this Order – The Defendants

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

Effect of this Order - Parties other than the Claimant and Defendants

It is a Contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

The grant of this order does not prevent the Defendants from raising any objection of law, practice, justice or convenience at the Return Date or other hearing before the court.

Interpretation of this Order

1. In this Order, the words “the Land” means land known as “Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent” registered at HM Land Registry under Title Number TT171000, TT171757 edged red on the attached plan.

2. In this Order, where there is more than one Defendant (unless otherwise stated) references to “the Defendants” means each or all of them.

3. A requirement to serve on “the Defendants” means on each of them. However, the Order is effective against any Defendant on whom it is served.

4. An Order requiring “the Defendants” not to do anything applies to all Defendants.

5. In this Order, the Sixth Defendant identified only as “Persons Unknown” refers to those adult persons who are not named Defendants to this Application who have an interest in the Land and/or intend to carry out further works to the Land and/or intend to occupy the Land.

Communications with the Court

All communications to the Court about this Order should be sent to Room WG08, Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010). The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday except holidays.

SCHEDULE A

Evidence

The Judge read the following written evidence before making this Order:-

1. First Witness Statement of Andrew Culley dated 15th May 2025
2. First Witness Statement of Leanne Tarling dated 15th May 2025
3. First Witness Statement of Heather Stevens dated 22nd May 2025
4. Second Witness Statement of Andrew Culley dated 22nd May 2025

5. Third Witness Statement of Andrew Culley dated 30th May 2025
6. Second Witness Statement of Leanne Tarling dated 30th May 2025

SCHEDULE B

Undertakings given to the Court by the Claimant:-

1. As soon as practicable the Claimant will serve on the named Defendants a sealed copy of this Order and evidence together with Counsel's skeleton argument for the hearing in support pursuant to the Order for alternative service herein.
2. As soon as practicable the Claimant will serve on the named Defendants the sealed Claim Form in this action claiming the appropriate relief.
3. To use the Claimant's best endeavours to effect personal service on the named Defendants.

Name and Address of Claimant's Legal Representatives:-

Ms Izindi Visagie
Ivy Legal Ltd
4th floor, 33 Cannon Street
London
EC4M 5SB

Tel: 02037455896
Email: izindi@ivylegal.co.uk

Claim No. KB-2025-001812
Matter no. KB-2025-001739

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

DATED 30th May 2025

IN THE MATTER

B E T W E E N:-

TUNBRIDGE WELLS BOROUGH COUNCIL
Claimant

-and-

(1) KEITH JEEVES
(2) TED JEEVES
(3) CURTIS LOVE
(4) BONNY HARBOUR
(5) JONNY BIGMORE
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers TT171000, TT171757)

Defendants

INJUNCTION ORDER

PENAL NOTICE

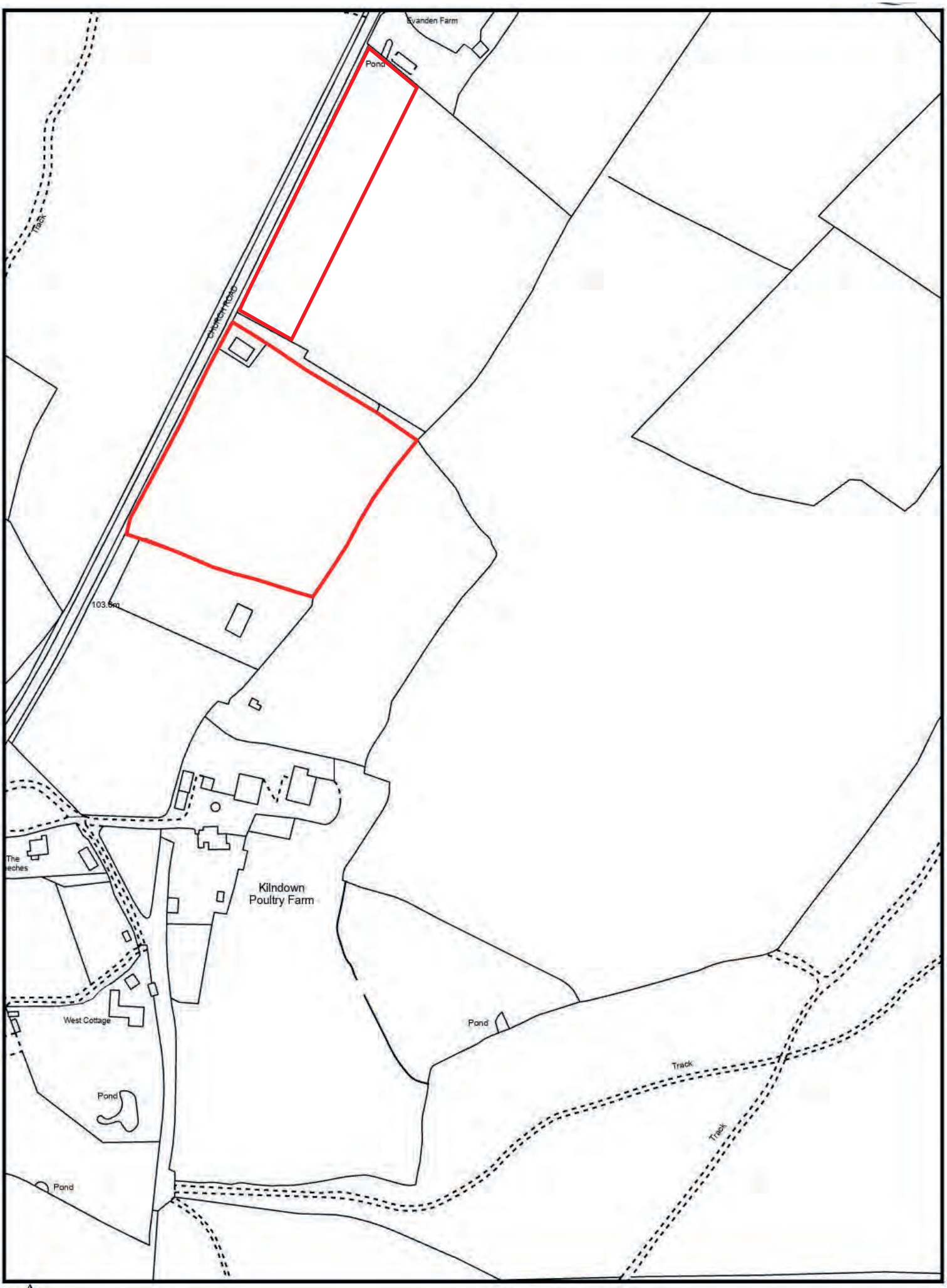
IF YOU THE WITHIN NAMED DEFENDANTS, KEITH JEEVES, TED JEEVES, CURTIS LOVE, BONNY HARBOUR, JONNY BIGMORE AND PERSONS UNKNOWN

DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO

IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED

Ms Izindi Visagie, Ivy Legal Ltd
Tel: 02037455896
Email: izindi@ivylegal.co.uk

Solicitors for Tunbridge Wells Borough Council



Scale 1:2,750

© Crown copyright and database rights 2023 Ordnance Survey AC0000821260

Map Dated: May 2025

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Name of court In the High Court, King's Bench Division	**Claim no.** KB-2025-001812/001739
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
	HWF – ___ – ___
Warrant no. (if applicable)	
Claimant's name (including ref.) Tunbridge Wells Borough Council	
Defendant's name (including ref.) (1) Bill Lee (2) Bill Leonard Lee (3) Wesy Lee (4) Roy Draper (5) Albie Wilkins (6) Persons Unknown	
Date	27 May 2025

HIGH COURT OF JUSTICE
27 May 2025
QUEEN'S BENCH DIVISION
KB-2025-001812
Sub Event ID: 7

1. What is your name or, if you are a legal representative, the name of your firm?

   Ivy Legal Limited

2. Are you a ☐ Claimant ☐ Defendant ☑ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

   The Claimant is seeking the continuation of the Injunction Order of Mr Justice Dexter Dias dated 23 May 2025 for the reasons set out in the Claimant's evidence.

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☑ at a hearing ☐ without a hearing ☐ at a remote hearing

6. How long do you think the hearing will last? 2 Hours ___ Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☑ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need? High Court Judge

9. Who should be served with this application? The Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement
- ☐ the statement of case
- ☑ the evidence set out in the box below

If necessary, please continue on a separate sheet.

The evidence contained within the witness statements of Andrew Culley, Leanne Tarling and Heather Stevens previously filed with the Court, as well as any additional statements to follow.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☑ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☑ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Izindi Visagie

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☑ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
2 7	0 5	2 0 2 5

Full name

Izindi Visagie

Name of applicant's legal representative's firm

Ivy Legal Limited

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

4th Floor, 33 Cannon Street

Second line of address

Town or city

London

County (optional)

Postcode

E	C	4	M	5	S	B

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Tunbridge Wells/Kilndown

Email

enforcement@ivylegal.co.uk

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Name of court In the High Court, King's Bench Division	**Claim no.** KB-2025-001739
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
	H W F – ___ – ___
Warrant no. (if applicable)	
Claimant's name (including ref.) Tunbridge Wells Borough Council	
Defendant's name (including ref.) (1) Bill Lee (2) Bill Leonard Lee (3) Wesy Lee (4) Roy Draper (5) Albie Wilkins (6) Persons Unknown	
Date	20 May 2025

1. What is your name or, if you are a legal representative, the name of your firm?

   Ivy Legal Limited

2. Are you a ☐ Claimant ☐ Defendant ☑ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent? Claimant

3. What order are you asking the court to make and why?

   Adding Defendants to the claim: (7) Keith Jeeves; (8) Curtis Love; (9) Bonny Harbour and (10) Jonny Bigmore

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☐ at a hearing ☑ without a hearing ☐ at a remote hearing

6. How long do you think the hearing will last? ☐ Hours ☐ Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need? High Court Judge

9. Who should be served with this application? The Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement
- ☐ the statement of case
- ☑ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Since the issue of the Claim, two interim Injunction orders were made on 16 May and 23 May 2025 respectively in respect of part of a larger land parcel known as Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook.

Further development on the wider land parcel (not covered by the initial interim injunction orders) resulted in the making of an interim injunction application against further defendants with an interest in smaller subdivisions of the original larger land parcel. On 30 May 2025 Mr Justice Dexter Dias made an interim order in terms of which the following defendants were injuncted from living on and undertaking further development on the further land parcels part of the Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook: (1) Keith Jeeves; (2) Ted Jeeves; (3) Curtis Love; (4) Bonny Habrour; (5) Jonny Bigmore and (6) Persons Unknown.

Since the service of the interim injunction order of 30 May 2025 it has come to the Claimant's attention that Ted Jeeves is 17 years of age.

The current application made under CPR 19.2 and seeks to add the above defendants (apart from Mr Ted Jeeves as he is under age) to the original claim The application is made on the basis that it is desirable to add the new defendants so that the court can resolve all the matters in dispute in the proceedings relating to the larger land parcel at Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☑ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☑ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Ivy Legal Limited

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☑ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
0 3	0 6	2 0 2 5

Full name

Izindi Visagie

Name of applicant's legal representative's firm

Ivy Legal Limited

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

4th Floor, 33 Cannon Street

Second line of address

Town or city

London

County (optional)

Postcode

E	C	4	M	5	S	B

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Tunbridge Wells/Kilndown

Email

enforcement@ivylegal.co.uk

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Name of court In the High Court, King's Bench Division	**Claim no.** KB-2025-001812
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
	H W F – –
Warrant no. (if applicable)	
Claimant's name (including ref.) Tunbridge Wells Borough Council	
Defendant's name (including ref.) (1) Bill Lee (2) Bill Leonard Lee (3) Wesy Lee (4) Roy Draper (5) Albie Wilkins (6) Persons Unknown (7) et al	
Date	3 June 2025

1. What is your name or, if you are a legal representative, the name of your firm?

   Ivy Legal Limited

2. Are you a ☐ Claimant ☐ Defendant ☑ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent? Claimant

3. What order are you asking the court to make and why?

   Continuation of injunction order made by Mr Justice Dexter Dias on 30 May 2025 against the additional Defendants to the claim: (7) Keith Jeeves; (8) Curtis Love; (9) Bonny Harbour and (10) Jonny Bigmore

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☑ at a hearing ☐ without a hearing

   ☐ at a remote hearing

6. How long do you think the hearing will last? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period: 6 June 2025

8. What level of Judge does your hearing need? High Court Judge

9. Who should be served with this application? The Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement
- ☐ the statement of case
- ☑ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Since the issue of the Claim, two interim Injunction orders were made on 16 May and 23 May 2025 respectively in respect of part of a larger land parcel known as Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook.

Further development on the wider land parcel (not covered by the initial interim injunction orders) resulted in the making of an interim injunction application against further defendants with an interest in smaller subdivisions of the original larger land parcel. On 30 May 2025 Mr Justice Dexter Dias made an interim order in terms of which the following defendants were injuncted from living on and undertaking further development on the further land parcels part of the Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook: (1) Keith Jeeves; (2) Ted Jeeves; (3) Curtis Love; (4) Bonny Habrour; (5) Jonny Bigmore and (6) Persons Unknown.

Since the service of the interim injunction order of 30 May 2025 it has come to the Claimant's attention that Ted Jeeves is 17 years of age.

Application has (separately) been made under CPR 19.2 to add the above defendants (apart from Mr Ted Jeeves as he is under age) to the original claim.

This application is made to continue the injunction of 30 May 2025 against D7, D8, D9 and D10 for the reasions set out in the Claimant's evidence in the form of witness statements.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☑ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☑ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Ivy Legal Limited

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☑ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
0 3	0 6	2 0 2 5

Full name

Izindi Visagie

Name of applicant's legal representative's firm

Ivy Legal Limited

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

4th Floor, 33 Cannon Street

Second line of address

Town or city

London

County (optional)

Postcode

E	C	4	M	5	S	B

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Tunbridge Wells/Kilndown

Email

enforcement@ivylegal.co.uk

Statement on behalf of the Claimant
Witness: Izindi Visagie
1st statement
Dated: 4 June 2025
Exhibits: IV1 to IV4

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-001812
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fifth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Numbers K871684, TT171000 and TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

WITNESS STATEMENT OF IZINDI VISAGIE

I, Izindi Visagie, Partner at Ivy Legal Limited, will say as follows:

1. I make this statement in support of the Claimant's claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990. I am authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. Pursuant to the Order made by Mr Justice Dexter Dias on 23 May 2025, I instructed Matthew Bridge to serve the order and accompanying documents on Albie Wilkins (D5) personally by attending the property at Hawksbill, Morley Lane, Bicker, Lincolnshire PE20 3DP being the address given in the Land Registry Office Copies for Mr Wilkins. Mr Bridge's statement is enclosed at IV1 and confirms he was unable to serve the documents personally as he could not access the property.
3. On 23 May I also sent by first class post to
    a. Bill Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone, ME17 4BU
    b. Wesy Bill Wally Lee,Four Oaks, Church Hill, Boughton Monchelsea, Maidstone,ME17 4BU
    c. Roy Christopher Draper, Hill View, Meadow Lane, Wickford, SS11 7DX
    d. Albie John Wilkins, Hawksbill, Morley Lane, Bicker, PE20 3DP

    Copies of the following documents:
    - N208- Claim Form
    - Notes for Defendant
    - Acknowledgement of service
    - N244 Application for injunction
    - Details of Claim
    - Skeleton argument
    - Draft order
    - Note of the 16 May 2025 hearing
    - The cover letter also included QR links to the following witness statements:
    - Witness statement of Andrew Culley with appendices
    - 2nd witness statement of Andrew Culley with appendices
    - Witness statement of Heather Stevens with appendices

4. On 29 May 2025 I received a message to return a call from a Mr Colin Bateson. Mr Bateson then emailed me and I exhibit the email at IV2. I returned Mr Bateson's call and he confirmed that Mr Albie Wilkins, the 5th Defendant, did not live at the address given for Mr Wilkins on the Land Registry Office Copy. I asked Mr Bateson whether he knew Mr Wilkins and he said that he did. He said Mr Wilkins rented an office from him at Bozon hall, Wash road, Kirton PE20 1QJ and that he lived somewhere near Crayford but he did not know the exact address.
5. On 29 May 2025 I posted copies of the documents referred to in paragraph 3 above to Mr Albie Wilkins (D5) at Bozon hall, Wash road, Kirton PE20 1QJ.
6. On 4 June 2025 I received a message to return a call from Mr Roy Draper, the 4th Defendant. Mr Draper said he no longer owns the land and that he had sold it to Bill Lee. I asked for details of the solicitor who did the conveyancing transaction but Mr Draper then said the property had not been legally transferred. He was unable to provide me with any further information but said he would call me tomorrow.

7. In the interim I have been in correspondence with a Mr Stuart Carruthers who says he is a planning agent. In response to direct questions Mr Carruthers has failed to expressly confirm who his clients are but he has now submitted both an Enforcement Notice appeal and planning refusal appeal to the Planning Inspectorate and it is assumed he is acting on behalf of the appellants in these appeals, i.e. Mr K Jeeves (D7), Ms B Harbour (D9) and Mr J Bigmore (D10).
8. The planning appeal was made on behalf of Mr K Jeeves but the Certificate B to the appeal advises that the landowner is 'Harbour'. The application was originally made under Council reference 25/00511/FULL for the "Change of use of land to equestrian, construction of stable building for horses together with highway access crossover and access driveway". However, in the Statement of Case for the appeal it is made clear that the land is intended for Gypsy/traveller accommodation. Copies of the appeal documents are enclosed at IV3. The Council will be writing to the Planning Inspectorate imminently as, under s.78 of the Town and Country Planning Act 1990, an appeal can be made against the decision of the local planning authority which, in this case, was the refusal in relation to equestrian use. There was no planning application or decision in relation to Gypsy/traveller accommodation.
9. On 16 May 2025 an Enforcement Notice was issued against for the creation of an access, etc. Mr Carruthers submitted an appeal against this Enforcement Notice on 1 June on behalf of Mr Keith Jeeves, Ms B Harbour and Mr J Bigmore. A copy of the appeal form and Enforcement Notice are enclosed at IV4.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *Izindi Visagie*

Dated: 4 June 2025

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number TT171000, TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

EXHIBIT IV1

Filed on behalf of:	Claimant
Statement:	Matthew Bridge
Exhibits:	N/A
Date:	23 May 2025

IN THE HIGH COURT OF JUSTICE

KINGS BENCH DIVISION

CASE NUMBER: KB-2025-001812

BETWEEN

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

- and –

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN

Defendants

STATEMENT OF SERVICE OF

PART 8 CLAIM FORM AND APPLICATION FOR INJUNCTION

UPON THE FIFTH DEFENDANT

I, MATTHEW BRIDGE, of Bridge Risk Control Ltd t/a Lincs Process Servers, Boston Enterprise Centre, Enterprise Way, BOSTON, PE21 7TW, Process Server and for the purpose of service instructed by Ivy Legal Limited, 4th Floor, 33 Cannon Street, LONDON, EC4M 5SB, Solicitors for the Claimant, will state as follows:-

1. That I am over the age of 16 years and am not a party to these proceedings.

2. That I did, on 22 May 2025 at 1555 hours attend at Hawksbill, Morley Lane, Bicker, Lincolnshire, PE20 3DP ('the Property'), for the purposes of effecting service, upon ALBIE JOHN WILKINS, the Fifth Defendant, of the following documents

   i) Claim Form
   ii) Notes for Defendant
   iii) Application for Injunction in Form N244 sealed 20 May 2025
   iv) Draft Order
   v) Details of Claim
   vi) Skeleton Argument
   vii) Note of hearing of 16 May 2025
   viii) Link to Witness Statement of ANDREW CULLEY, with appendices
   ix) Link to Second Witness Statement of ANDREW CULLEY, with appendices
   x) Link to Witness Statement of HEATHER STEVENS, with appendices

3. The Property is a detached, two storey house and is the last known address of the Fifth Defendant.

4. The Property is not publicly accessible as there is a keypad entry system to the driveway and an automated security gate. There is no means of accessing the Property without the code to the keypad entry system. There is an external letterbox for the Property mounted to the gatepost.

5. I effected service upon the Fifth Defendant by inserting the documents referred to in Paragraph 2 above, in a sealed envelope addressed to the Fifth Defendant, through the letterbox situate at Hawksbill, Morley Lane, Bicker, Lincolnshire, PE20 3DP at 1600 hours on 22 May 2025.

6. In accordance, with Part 6.26 of the Civil Procedure Rules, the date of deemed service shall be 22 May 2025.

7. I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

SIGNED:

DATE: 23 May 2025

Filed on behalf of:	Claimant
Statement:	Matthew Bridge
Exhibits:	N/A
Date:	23 May 2025

IN THE HIGH COURT OF JUSTICE

KINGS BENCH DIVISION

CASE NUMBER: KB-2025-001812

BETWEEN

TUNBRIDGE WELLS BOROUGH COUNCIL
Claimant

- and –

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN
Defendants

STATEMENT OF SERVICE OF

PART 8 CLAIM FORM AND APPLICATION FOR INJUNCTION

UPON THE FIFTH DEFENDANT

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number TT171000, TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

EXHIBIT IV2

From: colin bateson
To: Izindi Visagie
Subject: Albie Wilkins
Date: 29 May 2025 09:35:38

Good morning Izindi I hope this email finds you fit and well,
Thank you for your time on telephone and for your assistance.
I have received two document pack addressed to Mr Albie John Wilkins to my home address.
My name is Colin Bateson and I live with my wife Maxine and son Jack.
I can confirm that Mr Wilkins does not live at my address and at no time has done so.
Would you be so kind and remove my address from the contact details you hold for him.
I have no connection to any land in any way.
Best regards
Colin Bateson
Hawksbill
Morley lane
Bicker
PE20 3DP
Tel 07970 766343
Sent from my iPhone

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
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(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number TT171000, TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

EXHIBIT IV3

For official use only (date received): 01/06/2025 20:15:42

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal and essential supporting documents must reach the Inspectorate within the appeal period. If your appeal and essential supporting documents are not received in time, we will not accept the appeal.

Appeal Reference: APP/M2270/W/25/3366827

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr K Jeeves
Address	Barnfield Church Road / Field Kilndown TN17 2RT

Preferred contact method Email ☑ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☑ No ☐

Name	Mr Stuart Carruthers
Company/Group Name	n/a
Address	32 Northgate BECCLES NR34 9AS
Phone number	01502 719 731
Email	stuarthcarruthers@gmail.com
Your reference	Barnfield PA

Preferred contact method Email ☑ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Tunbridge Wells Borough Council
LPA reference number	25/00511/FUL
Date of the application	28/02/2025

Did the LPA validate and register your application?	Yes	☑ No	☐
Did the LPA issue a decision?	Yes	☑ No	☐
Date of LPA's decision	01/05/2025		

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes	☑ No	☐

Address

Barnfield
Church Road / Field
Kilndown
TN17 2RT

Is the appeal site within a Green Belt?	Yes	☐ No	☑
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes	☐ No	☑

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes	☐ No	☑

Please enter details of the proposed development. This should normally be taken from the planning application form.

1.2

Does the proposal include demolition of non-listed buildings within a conservation area?	Yes	☐ No	☑

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.	☑
2. Refused permission to vary or remove a condition(s).	☐
3. Refused prior approval of permitted development rights.	☐
4. Granted planning permission for the development subject to conditions to which you object.	☐
5. Refused approval of the matters reserved under an outline planning permission.	☐
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.	☐
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).	☐
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.	☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.	☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐

2. Hearing ☑

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

☑ the box below

There is currently an enforcement notice appeal with PINS

(a) Is there any further information relevant to the hearing which you need to tell us about?

Appellants are Gypsy / Travellers in Tunbridge Wells

3. Inquiry ☐

H. FULL STATEMENT OF CASE

☑ see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes ☑ No ☐

☑ see 'Appeal Documents' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes ☑ No ☐

(b) Have you made a costs application with this appeal? Yes ☐ No ☑

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☐

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☑

Owner's Name:	Harbour
Address at which notice was served:	Barnfield, Church Lane, Kilndown, TN17 2RT
Date the notice was served:	31/05/2025

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding. ☐

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant. ☑

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has ☐

given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA. ☑

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form). ☐

03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☑

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☑

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. ☑

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☑

05.(c) A list of all plans, drawings and documents upon which the LPA made their decision. ☐

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application. ☐

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☐

07. A copy of the design and access statement sent to the LPA (if required). ☐

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☐

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☑

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☐

10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☐

11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

(a) the relevant outline application; ☐

(b) all plans sent at outline application stage; ☐

(c) the original outline planning permission. ☐

12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐

13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the ☐

document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☑ No ☐

Please give details, including our reference number(s), if known.

APP/M2270/C/25/3366815, APP/M2270/C/25/3366816, APP/M2270/C/25/3366817

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledege.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature	Mr Stuart Carruthers
Date	01/06/2025 20:18:40
Name	Mr Stuart Carruthers
On behalf of	Mr K Jeeves

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our privacy notice.

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:

  https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section: FULL STATEMENT OF CASE
Document Description: A copy of the full statement of case.
File name: SofC.pdf

Relates to Section: FULL STATEMENT OF CASE
Document Description: A separate list of appendices to accompany your full statement of case
File name: DSOFCG.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 01. A copy of the original application sent to the LPA.
File name: Tab 1 25_00511_FULL-ApplicationFormRedacted-4585339.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name: Tab 6 25_00511_FULL-Decision_Notice-4604699.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name: Tab 2 25_00511_FULL-Site_Location___Block_Plan-4587342.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name: Tab 3 25_00511_FULL-Plans___Elevations-4587699.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name: SofC.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 09.a. Copies of additional plans, drawings or documents relating to the application not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
File name: Tab 4 25_00511_FULL-BNG_Statement-4587700.pdf
File name: Tab-9.pdf
File name: Tab-10.pdf
File name: Tab 7 25_00511_FULL-Delegated_Report-4604700.pdf
File name: Tab-11.pdf
File name: Tab-14.pdf

File name:	Tab-13.pdf
File name:	Tab 8 rural lanes.pdf
File name:	Tab-12.pdf
File name:	DSOFCG.pdf
Completed by	MR STUART CARRUTHERS
Date	01/06/2025 20:18:40

Property:	BARNFIELD, Church Field, Kilndown, Cranbrook,Kent, TN17 2RT
Local Planning Authority:	Tunbridge Wells
Appellants:	HARBOUR and JEEVES
Propoosal:	Change of use of land to equestrian, construction of stable building for horses together with highway access crossover and access driveway.
Local Planning Authority Reference:	25/00511/FULL
Date of LPA Decision:	01 May 2025

DRAFT STATEMENT OF COMMON GROUND

1) This draft Statement of Common Ground covers the following issues:

a. Introduction
b. The Appeal Site
c. The Local Area
d. Planning History
e. The Appeal Proposal
f. Development Plan (Adopted and Emerging) and Supplementary Planning Guidance
g. National Policy and Other Guidance
h. Areas of Agreement
i. Areas of Disagreement
j. Schedule of Conditions and Draft Terms of S106

2. Introduction

2.1 The appeal is against a refusal of Tunbridge Wells to grant planning permission for:

Ref: 25/00511/FULL

Change of use of land to equestrian, construction of stable building for horses together with highway access crossover & access driveway.

2.2 The application was part of an attempt by the applicants to develop land that would be suitable for use as a Gypsy / Traveller site and that had a good probability of obtaining planning consent.

2.3 The reasons for refusal are:

(1) *The proposal by virtue of the size, scale, height, design and position of the stable building combined with the associated development and access, would result in a prominent form of development that would cause harm to the landscape and visual character of the area and the rural lane and in turn would not conserve or enhance the landscape and scenic beauty of the High Weald National Landscape. The application is contrary to Chapter 12 and paragraphs 187 and 189 of the National Planning Policy Framework (2024); Core Policies 4, 5 and 14 of the Tunbridge Wells Borough Council Core Strategy (2010); Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Council Local Plan (2006); emerging Policies EN1, EN18 and EN19 of the Submission Local Plan (2021); Policies L1 and L4 of the Goudhurst Neighbourhood Plan (2022) and the High Weald AONB Management Plan 2024-2029.*

(2) *Insufficient evidence has been provided to show that the required visibility splays at the new access onto Church Road can be achieved and that the land within the visibility splays can be maintained free from any obstruction. Therefore, the proposal fails to show that it would not have an unacceptable impact on highway safety and would be contrary to paragraph 116 of the National Planning Policy Framework (2024).*

3. The Appeal Site

3.1 The appeal site is either on Kilverden Road or Church Lane. The land / field has an area of about 1.2 ha (3 acres). There is a hedge bounding the land. There is additional land adjoining that forms part of the site.

3.2 A small area of the land is being used as a residential caravan site (Three caravans). The remainder of the land is grass. Caravans can be stationed on the land for 28 days without being in breach of planning control. The Council has 28 days to find the occupiers appropriate alternative accommodation as they are currently homeless.

3.3 A new vehicular access has been established. This is subject to an planning enforcement notice This notice has been appealed (3366815).

3.4 The land is within the High Weld National Landscape Area.

3.5 The main issue is that the Council has sought to prevent development that should be allowed under paragraph 190. The land is within the countryside .The land is reasonably close to settlements. The nearest dwelling is about 100m distant.

4. The Local Area

4.1 The local area is what in the 19th century would have been identified as a wasteland, as it was not regarded suitable for agriculture or industrial. These areas have normally been identified as being suitable for recreation and/or nature conservation, and their management for these purposes is normally subsidised by the Treasury. The countryside in this location is heavily dependent on nature conservation and recreational subsidies.

5. Planning History

Ref	Application	Decision Date	Decision
04/01087	3 loose boxes	16 June 2004	Refused
24/00247/AGRIC	New agricultural barn for storage	27 February 2024	Prior Approval Not Required (Approved)
24/02218/FULL	Temporary siting of a single caravan and two metal containers in connection with construction of a new previously approved barn	30 September 2024	Withdrawn

25/00511/FULL	Change of use of land to equestrian, construction of stabling building for horses together with highway access crossover & access driveway	01 May 2025	Refused (**APPEALED**)
25/01299/FULL	Retrospective Change of use of land for the stationing of 3no, static caravans and 2no. touring caravans with ancillary works for Gypsy / Traveller occupation		

.

6. APPEAL PROPOSAL

Change of use of land to equestrian, construction of stabling building for horses together with highway access crossover & access driveway.

6.1 A planning application is with Tunbridge Wells Council for part of this land for Retrospective Change of use of land for the stationing of 3no, static caravans and 2no. touring caravans with ancillary works for Gypsy / Traveller occupation.

6.2 The land is subject to an interim injunction, and enforcement notice and a temporary stop notice.

7. Development Plan

7.1 The development plan is formed from a number of documents. These are:

- Tunbridge Wells Local Plan 2006 – saved policies
- Tunbridge Wells Borough Local Development Framework Core Strategy 2010
- Tunbridge Wells Borough are in the process of adopting a new local plan 2021.

7.2 One supplementary planning document is of relevance:

- Rural Lanes supplementary planning guidance 1998.

7.3 The land is within the High Weald AONB management plan area (2024 – 2029), and appears to be included within the Goudhurst Neighbourhood Plan Area.

7.4 The Tunbridge Wells Borough Council identifies that the development is contrary to:

- Core Policies 4, 5 and 14 of the Tunbridge Well Borough Council Core Strategy 2010;
- Policies LLBD1, EN1 and EN25 of the Tunbridge Wells Borough Council Local Plan 2006;
- Policies L1 and L4 of the Goudhurst Neighbourhood Plan 2022,
- High Weald AONB Management Plan 2024 -2029

7.5 The Council further identifies that the development is contrary to emerging policies EN1, EN18 and EN19 of the submission Local Plan 2021.

7.6 The main area of conflict relates to interpretation of policies by the Tunbridge Wells Borough Council and the failure of the Tunbridge Wells Council to validate and verify its Local Plan Policies against registered Local Land Charges for which it is responsible, and conducting Habitat Regulations Assessments on false information.

7.7 The Tunbridge Wells Council appears to have determined that Gypsy / Travellers are not able to live on their own land for 28 days as enabled by the GPDO whilst the Tunbridge Wells Council finds alternative appropriate accommodation and/or makes a rational decision.

8. NPPF

8.1 The Tunbridge Wells Borough Council identifies that the application is contrary to Chapter 2 and paragraphs 187 and 189 of the NPPF. This is disputed.

9. Main Areas of Difference

9.1 The main areas of difference relate to interpretation of planning legislation by the Tunbridge Wells Borough Council. A large number of issues can be resolved by the Council identifying if it has based its Local Plan on Local Land Charges and that it has verified and validated these information resources. If the Council is using the Magic Web Site that Natural England

administer for DEFRA it should identify that there are errors in the majority of its environmental charges through the verification and validation process. This is an issue where the Tunbridge Wells Borough Council needs to provide the required assurances. There is no dispute between the parties that the Local Land Charges Register must be correct.

Stuart H CARRUTHERS
01 June 2025

Property:	BARNFIELD, Church Field, Kilndown, Cranbrook,Kent, TN17 2RT
Local Planning Authority:	Tunbridge Wells
Appellants:	HARBOUR and JEEVES
Propoosal:	Change of use of land to equestrian, construction of stable building for horses together with highway access crossover and access driveway.
Local Planning Authority Reference:	25/00511/FULL
Date of LPA Decision:	01 May 2025

STATEMENT OF CASE

1. Introduction

1.1 There are **14 exhibits** accompanying this statement of case. These are all true copy documents and are identified as **Tab 1 – Tab 14**. An excel spreadsheet is included as **Tab 5**.

1.2 The land is intended for Gypsy / Traveller accommodation. The planning application subject to appeal was submitted to secure agreement that access to the land was possible and was safe. **The documents that accompanied the application are attached** as **Tabs 1-7**.

2. Decision Making

2.1 Planning application 25/00511/FUL was refused on two grounds.

a) **Character and appearance**. The Tunbridge Wells Council determined that the proposed development would be detrimental to the High Weald National Landscape.

b) **Highway Safety.** Insufficient evidence had been provided to demonstrate that the required visibility splays could be obtained and maintained free of obstruction.

2.4 It is not believed that the decision making of the Local Planning Authority was based on the development plan or National Planning policy Framework, or took account of very special circumstances.

3. Character and appearance

3.1 The Tunbridge Wells failed to take any account of its own rural lane supplementary planning document on rural lanes. The Council identifies that the claimed rural lane abutting the land is Kilndown Road. In its rural lane SPD it identifies that the highway is Church Lane and has the reference 73.0 The Council identifies that Church Lane makes a very limited role to landscape and visual amenity of the High Weld landscape area and a negligible contribution to the recreational and nature interest of the High Weld.

3.2 A copy of the SPD is shown at **Tab 8**.

3.3 There is no dispute that the development is within the area designated as the High Weld National Landscape area.

3.4 An Area of Outstanding Natural Beauty is a legal designation. Natural England determines which areas within England meet the requirements for designation. National Landscape is the new name for these areas.

3.5 AONBs are an area of outstanding natural beauty (AONB) is land protected by the Countryside and Rights of Way Act 2000 (CROW Act). It protects the land to conserve and enhance its natural beauty. They are intended to provide access to the countryside. They should not interfere with private rights to develop private land if the development does not have a significant effect effect on public rights.

3.6 The designation of many natural history designations for which DEFRA agencies or are responsible for advising on appear to have had their extent and importance wrongly identified. This seems to be a consequence of DEFRA having been able to access European instruments and not being identified as part of a Local Plan Habitat Regulations Assessment.

3.7 Paragraph 44 of the NPPF provides:

The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible

3.8 Paragraph 190 of the NPPF provides:

'When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development[67], [1] other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

Consideration of such applications should include an assessment of:

[1] (67) For the purposes of paragraphs 190 and 191, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

3.9 The developments proposed are minor. There has been no assessment of points (a), (b) and (c) required under paragraph 190 of the NPPF. Some of the issues that the assessment by Tunbridge Wells should have considered include:

a. It should have been apparent to any planner that the development sought was for a Gypsy / Traveller site, and was seeking consents that would maximise chances of success at appeal (if required) in a Council regarded as problematic in meeting the accommodation needs of Gypsy / Travellers

b. Tunbridge Wells is unable to demonstrate a 5 year supply of accommodation for Gypsy / Travellers and many of the existing sites are in a slum condition as they fail to meet the caravan site licensing requirements for which Tunbridge Council is responsible for administering.

c. Cost benefit analyses identify that the cost of providing a pitch (accommodation unit) for Gypsy / Travellers normally costs over £300,000 an accommodation unit if provided by a Local Authority.

d. The site has been developed as it is not visible from any public right of way and is shielded from view. This is shown at **Tab 9**.

e. The development proposed would have a minimal effect on the character and appearance of the High Weld.

f. The definition of Gypsy / Traveller for planning purposes changed in December 2024, and invalidated most Gypsy / Traveller Accommodation Assessments.

3.10 It is anticipated that Tunbridge Wells Council viewed application 25/00511 as Gypsy / Traveller application and failed to determine the application fairly on this ground.

4. HIGHWAYS

4.1 A visibility splay of 112.7m to the north of the access can be secured without damage to the existing hedgerow.

4.2 A visibility splay of 178 m to the south of the access without damage to the existing hedgerow can be secured.

4.3 The visibility splays to the north and south can be maintained by the developers.

4.4 The visibility splays are shown at **Tab 10**. The visibility splays are less than those recommended for a 60 mph road.

4.5 Vehicular speed on Church Road is considerably less than 60 mph. It is anticipated that vehicular speeds in excess of 40 mph would be considered as detrimental to the character and appearance of the High Weld.

4.6 The stopping distance in the Highway Code can also be used. This identifies that a stopping distance of 73m is needed in wet weather for a vehicle travelling at 60mph and that a stopping distance of 36m is needed for a vehicle travelling at 40mph.

4.7 There have been no reported accidents in the vicinity of the site for 25 years. This is shown at **Tab 11**.

4.8 The proposed access can be considered to be safe.

4.9 Serious work to the hedges in the ownership of the developers would enable establishment of visibility splays in excess of 215m. These works have been carried out to the west as shown at **Tab 12**.

4.10 The Highways Authority has identified that they are uncertain if the access is safe when applying maximum standards to the access. This is shown at **Tab 13**.

4.11 A speed survey is to be conducted. This should be conclusive.

5. Conclusion

5.1 The Tunbridge Wells Council has failed to take account that information provided by DEFRA agencies is often erroneous.

5.2 There have been at least ten prosecutions of Gypsy / Travellers in Kent for felling ancient woodland based on false information supplied by Natural England. Examination of Defra maps shows that the land affected is normally a former Council tip regulated by the Environment Agency.

5.3 Similarly, Forestry Commission is unable to explain why it awarded a felling licence on all A roads to Highways England including all woodland not registered at the Rural Payment Agency and why Forestry Commission denied to the Court that it had awarded a felling licence.

5.4 Natural England is unable to explain why sites designated as Euro sites (now Habit or Natura sites) are normally about 50% smaller than identified on Natural England maps, and why English Nature (predecessor of Natural England) failed to provide copies of the Secretary of States European Sites to Local Land Charge authorities so that mistakes made in the designations could be corrected.

5.5 The mistakes have been extensively used for income generation by DEFRA agencies and Council's acting as Local Planning Authorities.it is noted that Natural England identifies that there are no reasons for it to be consulted about applications similar to that made, and that the decision making is the Council's. This is shown at **Tab 14**.

5.5 It is unclear if Kilndown Road as identified in the National Street Gazetteer is actually Church Lane as identified in the Tonbridge Wells Supplementary Planning Document. The issues are confusing.

5.6 It is not possible for a planning Inspector to correct mistakes made in designations made by DEFRA. They have to assume that they are correct. There is a statutory duty on all Council's acting as Local Land Charge Authority under the Local Land Charges Act 1975 and its associated rules to correct flawed Local Land Charges.

5.7 Natural England and DEFRA have made very clear that it is for the Local Land Charges Authority to correct any errors in statutory designations. This appears to be a very underused power of a Council and inevitably leads to an abuse of process particularly in relation to charges that originate from Defra agencies. This

has to be raised with the court and increasingly Council's seeking to prosecute planning notices based on information provided by DEFRA agencies that they have failed to correct are abandoning prosecutions in the Courts.

5.8 The access from the site onto Church Lane / Kilverdon Road appears to be safe.

5.9 The application site should make a welcome addition to the accommodation provision in Tunbridge Wells, and meet what is a real need.

Stuart H CARRUTHERS

June 2025

Property: BARNFIELD, Church Field, Kilndown, Cranbrook,Kent, TN17 2RT

Local Planning Authority: Tunbridge Wells

Appellants: HARBOUR and JEEVES

Propoosal: Change of use of land to equestrian, construction of stable building for horses together with highway access crossover and access driveway.

Local Planning Authority Reference: 25/00511/FULL

Date of LPA Decision: 01 May 2025

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KILNDOWN ROAD, FLIMWELL, WADHURST

Classification: C-road

Responsibility: Maintainable at public expense, Kent

Street State: Open

Report Feedback

South Lodge

Kilndown

100 m 569958 134362

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Supplementary Planning Guidance

Rural Lanes

Tunbridge Wells
BOROUGH COUNCIL

Rural Lanes

Supplementary Planning Guidance

N G Eveleigh BA, MRTPI
Planning and Building Control Services Manager
Tunbridge Wells Borough Council

Town Hall, Royal Tunbridge Wells, Kent TN1 1RS

January 1998

Printed on environmentally friendly paper

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Recreational Amenity

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1 List of features recorded in Rural Lanes Study
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7 Map of high scoring rural lanes on nature conservation value
8 Map of high scoring rural lanes on historical/ archaeological value
9 Map of historic lane origins
10 Map of high scoring rural lanes on recreational amenity value
11 Map of rural lanes with high overall summary scores

1 Introduction

1.1 This document is Supplementary Planning Guidance based on Policy ENV13 of the Kent Structure Plan Third Review (Approved December 1996).

1.2 In support of this Guidance, the Kent Rural Lanes Study was initiated and is intended to be used as a reference document to complement the Guidance. The work for Tunbridge Wells Borough was carried out jointly by the Borough Council and the Kent County Council, with research and local knowledge contributed by some parish councils and local historians.

1.3 The Study provides a wealth of information on the rural lanes in the Borough and acts as a reference document, both for helping to assess the impact of any development proposal on a particular lane and also for identifying those rural lanes which may benefit from enhancement measures, either because they are of particular value already or because they have been compromised by inappropriate use or management or unsympathetic development and could benefit from ameliorative measures.

1.4 'The purpose of the Supplementary Planning Guidance is to assist in making decisions on planning applications which may have an impact on rural lanes.'

1.5 'The Supplementary Planning Guidance indicates features which detract from the character of rural lanes and consequently provides a guide for where enhancement measures may be appropriate. Such measures may include the use of sensitively designed signage and other highway hedgerow restoration and verge and hedgerow management schemes, tree planting, furniture or the promotion of special recreational routes.'

2 Policy Background

Planning Policy Guidance Note 7 (1997)

2.1 PPG 7 sets out the Government's policy on the countryside. One of the main objectives of planning policy for the countryside is to maintain or enhance the character of the countryside and conserve its natural resources, including, amongst other things, safeguarding the distinctiveness of its landscapes, its beauty, the diversity of wildlife and its historical and archaeological interest. The PPG requires local planning authorities to take these matters into account in the preparation of their development plans.

Hedgerow Regulations (1997)

2.2 With effect from June 1997, the new Hedgerows Regulations (Statutory Instrument 1997 No.1160) affords protection to important hedgerows in England and Wales. Notice must be given before the removal of any hedgerow, and the Local Planning Authority may require its retention, if the hedgerow meets the criteria of the Regulations. This Guidance should be an important aid in ensuring the retention of hedgerows along rural lanes (and elsewhere) in the Borough (many of which are continuous and rich in species diversity), although it will not guarantee good practice in future maintenance.

Tunbridge Wells Borough Local Plan Adopted 1996

2.3 Rural lanes are an integral part of the character of the countryside. Some of the existing policies in the Tunbridge Wells Borough Local Plan afford some general protection to the character of the countryside in any instance where development is to be permitted and seek to control the nature of the development accordingly. These include Policies EN23 (AONB and Kent Special Landscape Area protection). Some policies (e.g. E6(b)(2) (economic development in the countryside); recreation policies R13(3), R14(4), R15(7); and tourism policies T1(2), T3(2), T4(2)) make specific reference to highway alterations connected with development proposals which could affect that character. This Guidance will assist in considering the significance of such an impact.

Kent Structure Plan Approved 1996

2.4 In accordance with the general objectives of the PPG7 advice and existing plan policies, the Kent Structure Plan Third Review (Approved December 1996) contains Policy ENV 13 which seeks to protect Kent's rural lanes from unsympathetic development and to promote enhancement of the visual amenity and their use as a valuable recreational resource. The Policy and the accompanying explanatory text from the Structure Plan are set out below:

'Kent possesses a rich heritage of ancient lanes which date back to mediaeval, Saxon, and even pre-historic times. This network of lanes not only has historic value , but also contributes to nature conservation and to the distinctive landscape character of the countryside. Although the transport policies in this plan address the general issue of traffic on rural roads and policies ENV1 - 4 provide general landscape protection, consideration also needs to be given

to conserving the character and integrity of Kent's most important rural lanes, particularly those which are already experiencing significant pressures. Policy ENV13 therefore provides for lanes which are recognised as being of importance to be protected from adverse physical change, and for the promotion of nature conservation, landscape and amenity enhancement.

POLICY ENV13

Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.

District Councils may wish to identify such lanes in local plans, assisted as appropriate by surveys and environmental and archaeological advice, in consultation with the County Council. Protection and enhancement strategies are likely to embrace a range of measures, such as restraint of traffic generating proposals, especially those involving heavy vehicle traffic, limitation of physical upgrading of the highway subject to road safety considerations, adoption of special verge and hedgerow maintenance regimes, and planting/replanting initiatives, including restoration of damaged hedgerows. Highway works will respect the character of such lanes. Other measures, such as the making of tree preservation and traffic orders, and voluntary routeing agreements with adjoining farmers, landowners and key industrial, commercial and agricultural road users, may also be appropriate.'

3 Methodology of the Rural Lanes Study

3.1 The detailed methodology of the Study and the full results are set out in the Study document itself.

3.2 The Rural Lanes Study covers all lanes in the Borough which are defined as a C and other unclassified metalled road as shown on the Ordnance Survey Map. Only lanes outside the Limits to Built Development, as they are defined by the Tunbridge Wells Borough Local Plan, were studied. The lanes which have been defined as Rural lanes by the Borough Council for the purposes of Kent Structure Plan Policy ENV13, and an index to their names and location, is included at Appendix 2a to this SPG.

3.3 The Borough was split into the two main landscape areas which cover the area, namely the High Weald and the Low Weald. The boundary line between the two landscape areas has been taken as the boundary of the High Weald Special Landscape Area as defined in the Tunbridge Wells Borough Local Plan.

3.4 Each section of lane identified for inclusion in the survey was examined by site visits and desk studies using other data for the topic areas covered by Policy ENV13 as described in paragraphs 3.8 - 3.19 below. Complete lists of the features recorded are included in Appendix 1 to this SPG. The scoring methodology is shown in the Rural Lanes Study document itself.

3.5 The Study gives detailed tables of the features recorded on each lane and the degree to which they are present. The Study also gives examples of how to access the information on particular lanes. Maps are also provided (included at Appendices 3 - 11 to this SPG) indicating the highest scoring lanes for each topic area. Such maps indicate where there may be particular networks of lanes for conservation and enhancement. However, non-representation of a lane on the maps does not necessarily mean that there are no features of value on that lane.

Features of Importance

3.6 Each rural lane was measured using 5 categories:

- Landscape and visual amenity
- Detractions from visual amenity
- Nature conservation value
- Historical/archeological value
- Recreation facilities / Leisure enhancement opportunities

Each category is analysed separately below.

4 Landscape and Visual Amenity

4.1 This topic measures the occurrence of physical features and appearance of the lane and each lane is scored according to the presence and extent of features such as whether the lane is winding , sunken, raised, long views, sympathetic boundaries, and the presence of historic buildings, woods and hedgerows. Hedgerows are a key feature of the character of rural lanes in the Borough. Some 77% of the Borough's rural lanes are bounded by continuous hedgerows, often containing trees. Clearly this is a key feature for protection and improvement and applies generally to both the High and the Low Weald areas. This information was collected by site survey.

4.2 Rural lanes are an integral part of the landscape in which they are situated, and both reflect, and contribute to, the character. Consequently, it would be incorrect to compare the physical and visual attributes of lanes in the wooded and rolling High Weald which are intrinsically different from the lanes which may be fairly flat and pass orchards and hop gardens in the Low Weald. Both may score as being valuable on any of the topics defined by Policy ENV13, but it would clearly be illogical to score lanes in different landscape character areas using the same landscape features. For this reason slightly different landscape features have been used within each character area.

High Weald

4.3 The High Weald landscape area covers some 82% of the Borough and most of this is actually within the High Weald Area Of Outstanding Natural Beauty. The Kent Landscape and Nature Conservation Guidelines (1993) describe the area as follows:

'Owing to the general softness of the underlying rock in the High Weald, the many small streams have eroded steep incised valleys or ghylls. Whilst major routes tend to follow ridgelines, the rural lanes serving the local areas are often sunken and undulating, reflecting the underlying topography.'

4.4 The heavy, poorly drained soils discouraged early clearance and colonisation, with the dense oak woodland covering much of the area being valued as pannage for livestock. Iron ore reserves in the area also encouraged some early exploitation of this resource in Roman and pre- Roman times and formed the basis of the resurgence of the Wealden iron industry in the 16-18th Centuries. These activities led to the gradual clearance of woodland and the creation of small pasture fields. Such fields were carved out of the woodland and their boundaries often survive as shaws or residue belts of linear woodland. Woodland cover is still dense in the form of large forested areas, smaller wooded copses and shaws. This type of landscape is particularly notable in the rural lanes to the west of Royal Tunbridge Wells and Southborough and in the eastern part of the Borough around Benenden, Hawkhurst and Sandhurst.

4.5 The central part of the High Weald in the Borough extends roughly between Pembury and Cranbrook. Orchards and hop gardens with tall shelter belt hedges are common, with larger arable fields. This gives the area a well tended agricultural feel. However, the loss of orchards

and hedgerows in recent years, the reduction in the number of hop gardens and the visual effects of suburbanisation are leading to a decline in the landscape structure.

4.6 Appendix 3 indicates the highest scoring lanes on the basis of their physical landscape and visual amenity value. Lanes around Royal Tunbridge Wells and at Hawkhurst, Sandhurst, Iden Green and Four Throws exhibit the steep undulating ghylls and the dense woodland distinctive of the High Weald which contribute to the high landscape value of these lanes. Around the Brenchley area the lanes are not so wooded, but tend to have a wide range of features such as continuous hedgerows and changes in vertical elevation which allow views out from the lanes.

Low Weald

4.7 The Low Weald is a major topographical feature which extends through mid Kent and beyond. Within Tunbridge Wells Borough, parts of the parishes of Frittenden, Paddock Wood and Capel fall within this landscape area.

4.8 Much of the area is covered in Wealden clay; its wetness and heaviness combined with the generally flat, low elevation means that natural drainage is poor.

4.9 The poor ground conditions for early travellers resulted in broad trackways, created by driving farm animals and horse traffic around the worst of the waterlogged areas. This is reflected today in the wide verges and ditches along many of the rural lanes in the Low Weald.

4.10 Much of the original woodland cover has been cleared to create small irregular fields which have survived in permanent pasture, with a dense matrix of hedgerows and larger woodlands and copses. The presence of small rivers and streams with riparian trees marking their courses adds to the strong matrix of trees and hedges, especially in the area around Frittenden. The area around Paddock Wood and Capel more typically has larger fields and traditional orchards and hop gardens often with shelter belt hedging along the lanes.

4.11 Within the Low Weald the top scoring lanes occur around the Frittenden area, which has recently been included in the Eastern Low Weald Special Landscape Area and the scores reflect the general quality of the landscape. There are also some high scoring lanes to the east of Paddock Wood and between Tudeley and Five Oak Green. In both areas continuous hedgerows and ditches contribute to the high scores, with the traditional orchards and hop gardens contributing to the general quality of the landscape in the western part of the Borough.

5 Detractions from Visual Amenity

5.1 PPG15 confirms the importance of sympathetic road maintenance, surfacing and highway furniture in sensitive locations.

5.2 This topic covers all the factors which detracted from the physical appearance and amenity of the lane and included features such as broken hedgerows, unsympathetic highway improvements, signage, kerbs and crash barriers, verge erosion through over use of the lane, fly tipping, overhead cables, unsympathetic development and/or accesses and unsympathetic fences and boundary treatments. These were assessed through site visits and scored according to the extent of their occurrence. As these are negative features a high or 'good' score for this issue would be a lane scoring 0 or -1 to indicate that there were relatively few detractors. This topic score forms a ready checklist of lanes where the possibilities for physical enhancement can be assessed. A lane with a significant negative score could be an important indicator for development control purposes that the rural character of the lane was already being compromised and its quality should not be allowed to deteriorate further.

High Weald

5.3 The map at Appendix 4 indicates those lanes least affected by unsympathetic highway furniture or development.

5.4 Lanes around Benenden and Iden Green are the least affected by these features and there are also a few lanes around Goudhurst and Brenchley which are relatively unspoiled.

Low Weald

5.5 Within the Low Weald only a few lanes in the Frittenden area are relatively unaffected by unsympathetic highway furniture.

5.6 Appendices 5 and 6 indicate the instances of inappropriate kerbstone installation, reflex posts, white lining and crash barriers, observed on site throughout the rural lanes in the Borough. This emphasises the degree to which vehicular traffic has been allowed to degrade rural lanes throughout the Borough and suggests that ways to ameliorate this will need to form an important part of any enhancement programme.

6 Nature Conservation Value

6.1 PPG 9 sets out the principles of integrating nature conservation with land use planning and the Government's international obligations. One of the most important of these obligations is the EC Habitats Directive (adopted 1992) which requires Member States to encourage the management of features of the landscape which are of major importance for wild flora and fauna. Features which are continuous and linear or function as stepping stones are essential as corridors permitting migration. Hedgerows, small ponds and woods are among the examples specified by the Directive. Rural lanes, with their rich legacy of hedgerows, verges and ditches, are an important feature for wider nature conservation objectives.

6.2 This topic in the Rural Lanes Study includes the presence of Roadside Nature Reserves, adjacent SSSI's or SNCI's, species rich hedgerows, verge width, ditches, ancient woodland and also noted where there were severely machine flailed hedges. This part of the study drew on the Kent Wildlife Habitat Survey and other data bases as well as site survey.

6.3 Almost half of the species-rich hedgerows in the Borough lie along the rural lanes (according to the Kent Habitat Survey) which makes this an extremely important feature for conservation and enhancement, in both the High Weald and Low Weald landscape areas.

High Weald

6.4 Once again the lanes around Hawkhurst, Benenden and Iden Green score highly as Appendix 7 shows. This is due largely to steep woodland ghylls which are often rich in nature conservation interest. Other high scoring groups occur at Pembury Walks associated with the woodland there. Other examples occur around Goudhurst, Curtisden Green and Lamberhurst. The high scores along these lanes are due to the lengths of species-rich hedges along them.

Low Weald

6.5 Within the Low Weald some lanes around Frittenden scored highly on this topic as a result of species rich hedgerows coupled with wide verges. East of Paddock Wood several lanes also scored on one or other of these factors.

6.6 Within the rural lanes themselves clearly the hedgerows are an important wildlife habitat as are the wide verges and ditches. Development or highway improvement schemes which threaten these features should be avoided.

7 Historical/Archaeological Value

7.1 PPG15 states that there should be effective protection for all aspects of the historical environment. The physical remnants of our past are to be valued and protected for their own sake as part of our cultural heritage. Rural lanes which have their origins in the earliest history of the area and are important in understanding its historical evolution.

7.2 This part of the survey drew mainly upon the County Council historical and archaeological records and other research by local historians. Any Scheduled Ancient Monuments, earthworks or other historic features or buildings along the lane were recorded. The origin of the lane was also recorded where possible (e.g. whether it was a Roman road, an Iron Way or a Drove Road, or followed an old Parish boundary).

High Weald and Low Weald

7.3 Appendix 8 indicates those lanes with high scores for their historic value and Appendix 9 indicates lane origins. The local topography and soil types had much to do with the orientation and creation of lanes in the Borough. Poorly drained Wealden soils and difficult topography led to comparatively late settlement of the Weald and the easiest routes, generally following ridge top and valley bottoms were selected. These are reflected in the routes of modern main roads such as the A262 and A268.

7.4 There is some evidence of the existence of a prehistoric trackway in the Cranbrook area which was probably the earliest exploitation of the iron ore deposits. The Romans also exploited the iron ore deposits of the Weald and their routes survive both in the modern A229 and in the rural lane network in the Sissinghurst, Four Throws and Benenden area.

7.5 Jutish settlers from northern Kent created a series of drove routes used by livestock drivers across the North Downs and into the forest of the Weald to take advantage of the autumnal pannage for their livestock. Many such lanes run in a north - east / south - west direction. Some 38% of all the rural lanes in the study in Tunbridge Wells Borough are part of the old drove route network. As a result of their origins as drove routes, the lanes lead directly to settlements rather than between them. Consequently, none of the lanes follow the line of parish boundaries as they do to the north of the County.

7.6 There are a number of groups of high scoring historic lanes, particularly to the north of Goudhurst, Frittenden, Sissinghurst and Cranbrook and in the area around Hawkhurst, Four Throws and Sandhurst. The groupings of high scoring lanes also reflect ironways. Some fairly high scoring lanes also exist to the west of Royal Tunbridge Wells (Speldhurst area), again reflecting the legacy of the drove routes.

8 Recreational Amenity Value / Leisure Enhancement Opportunities

8.1 There are already a number of initiatives to increase the use of rural lanes for quiet enjoyment of the countryside, for example, by walking, cycling and horseriding. The rural lane network represents a potentially significant resource for recreation, if removal of through traffic, traffic restriction and traffic calming measures can be implemented successfully.

8.2 In the Rural Lanes Study, this topic measures the incidence of leisure facilities, public rights of way linking with the lane and whether or not the lane forms part of a cycle network or other type of tourist or leisure route. This should indicate lanes or groups of lanes which are or could be further enhanced and protected to maximise their potential for recreational use. This topic will also need to be regularly updated, since two new Parish Pedals cycle routes and the SUSTRANS Route 18 between Tunbridge Wells and Tenterden have recently been launched and will have upgraded the recreational value of the lanes they traverse.

8.3 Kent is poorly provided with bridleways (10% of the Public Right of Way network is bridleway, compared with 20% nationally) and the Borough fits this pattern. Even with the inclusion of toll rides and permissive rides, many rural lanes are regularly used by riders, either for linking the off road network or because there is no off road resource at all in their locality. Those lanes in regular use by riders for these reasons have been recognised as such in the scoring.

High Weald

8.4 Appendix 10 shows lanes which score highly because they incorporate recreational routes tend to centre on the Benenden, Iden Green and Sandhurst areas and also on the Brenchley/Horsmonden areas largely because of the Parish Pedals cycle route initiatives launched by the Kent High Weald Countryside Management Project.

8.5 Some lanes also score fairly highly because of links to the High Weald Walk around Royal Tunbridge Wells and to other lanes which either link with or form part of other publicised recreational routes. There are few rural lanes in the High Weald linking to bridleways, however the Rural Lanes Study itself maps those lanes with such links.

Low Weald

8.6 There are relatively few lanes with recreational amenity in the Low Weald, with only one or two rural lanes in each of the parishes of Frittenden, Paddock Wood and Capel having significant links with the public rights of way network.

8.7 Some progress has clearly already been made in improving the recreational value of some rural lanes in the Borough. Apart from the Parish pedals initiative however, recreational amenity remains focused on links with the public rights of way network rather than on the rural lanes themselves. Whether better use could be made of this resource, given initiatives for example in traffic calming would be an important area for enhancement work.

9 Overall Lane Scores

9.1 A summary scaled score for the rural lanes has been calculated taking all the different topics into account, including negative values for detrimental features. This enables an overall score for each lane to be calculated so that lanes within the same landscape areas can be compared with each other. This is useful for identifying any particular groups of lanes which might lend themselves to a particular enhancement project or which represent lanes of exceptional quality which are particularly worthy of protection.

High Weald

9.2 High scoring lanes in the High Weald occur particularly around Hawkhurst, Sandhurst, Iden Green, Benenden, Goudhurst and sporadically around Royal Tunbridge Wells (see Appendix 11).

9.3 The fact that these lanes have scored highly overall suggests that they represent some of the best conserved and best used lanes within their landscape area. Development proposals of any type should be carefully scrutinised to assess whether they may degrade any of the factors contributing to the quality of these lanes either individually, or where they are part of a network of similar lanes.

Low Weald

9.4 Within the Low Weald the highest scoring lanes were those around Frittenden village, due to their high landscape and visual amenity. One or two lanes to the south east of Paddock Wood and at Capel also score moderately well because of landscape features.

10 Planning Policy for Rural Lanes Affected by Development Proposals

10.1 Kent Structure Plan Policy ENV13 provides for the conservation of rural lanes which are of landscape and visual amenity, recreational amenity, nature conservation or historical/archaeological value.

10.2 Many lanes have registered some value in at least one of the topic areas, even if they have not fallen into the category of lanes scoring highly overall. Even lanes which may not have high scores overall are of interest in the context of development control, since this suggests that the rural character has already been compromised and that further inappropriate development may weaken what is left.

10.3 Consequently, reference should be made to the SPG and the study results to assess not only the overall value of a lane, but its value in each of the topic areas covered by the policy. For the purposes of development control the scores should be broken down into their constituent parts to assist in understanding the elements which contribute to the character of a particular lane. A development proposal which compromises such a feature may then be ameliorated, if possible, or if necessary, refused.

10.4 Besides the effect of unsympathetic development on individual rural lanes, the impact on the wider network of lanes also needs to be considered. This Guidance illustrates that there are several areas in the Borough covered by networks of rural lanes which are of great value. These are the areas around Benenden/ Four Throws/ Iden Green/ Hawkhurst/ Sandhurst; Frittenden/Sissinghurst; north of Goudhurst and a more fragmented network in the Speldhurst / Bidborough area.

10.5 One of the chief detractors from visual amenity on rural lanes is highway furniture, signage and improvements. If a development proposal would require changes of this type to satisfy highway safety requirements, then it is unlikely that the proposal would be appropriate for the location.

10.6 In considering development proposals which are served by a rural lane, or network of lanes, the Borough Council will only grant permission where the development would not be detrimental to the physical landscape value of the lane; the recreational amenity value of the lane (by generation of significantly more traffic or by physically affecting access to the public rights of way network); the nature conservation value of the lane; or the historical or archaeological importance of the lane.

10.7 Where development is permitted, sympathetic design and use of materials in keeping with the character of the lane will be sought with a preference for natural features and materials (such as hedging, grass banks and stone setts). The use of inappropriate, urbanising features (such as raised concrete kerbs, unsympathetic surface materials, fencing and walls) will not be approved.

10.8 Similar considerations will apply to any highway related works which would be required as a result of the proposed development.

11 Enhancement Opportunities

11.1 Kent Structure Plan Policy ENV13 not only seeks to protect the character of rural lanes but also to enhance them.

11.2 The Rural Lanes Study has a site summary for each lane on each of the four topic areas monitored by the survey. It is possible, (particularly from the detractors from visual amenity section) to start to identify lanes and features which would benefit from enhancement measures. Enhancement measures can be directed at making the very best of a good feature (for example, sympathetic management of a hedgerow or verge to ensure that it continues to contribute to conserving the character and overall quality of that lane) or focused on restoring lanes achieving lower scores.

11.3 The results of the Study for Tunbridge Wells Borough are that the overall value of many lanes in the Borough is quite high. However there is little doubt that the most serious detractors from visual amenity and the character of many lanes are highway 'improvements' such as unsympathetic signage, kerbstones, whitelining, reflex posts, crash barriers widening and so on. The majority of lanes in the Borough are affected to a greater or lesser extent, as the inevitable result of lanes which have evolved over hundreds of years ago carrying modern traffic of volume, speed and type for which they were not designed. Alteration and adaptation to improve highway safety has resulted in the degradation of the character and physical appearance of the lanes that increasingly is being seen.

11.4 The planning system clearly has a role to play in both land use allocation through development plans and in development control, in not encouraging types of land use which will not lead to the diminution in the value of rural lanes by vehicular traffic.

11.5 A number of environmental initiatives with an impact on rural lanes have already been commenced by agencies such as the Kent High Weald Project, Kent Wildlife Trust, Kent County Council (Highways).

11.6 The development of partnerships is being pursued in the West Kent Country Lanes Project which is a joint initiative between KCC (Highways and Planning), the District Councils of West Kent, including Tunbridge Wells Borough Council, and the Countryside Commission. The project is concentrating on traffic management in rural lanes. Any scheme for traffic management or calming will be the subject of local consultation.

11.7 There is great advantage in focusing a series of co-ordinated actions to enhance rural lanes and their use for informal recreation. A number of proposed actions have been identified through the Rural Lanes Study. These are listed below, but the list should not be regarded as exhaustive. The implementing agencies are indicated in brackets.

11.8 In devising any enhancement measures which directly affect the metalled highway, the needs of existing users such as farmers and local businesses will be taken into account.

11.9 Highways and traffic calming

a Consider the appropriateness of design and materials used for kerbing, reflex posts, safety fences and carriageway markings. (WKCLP, District Councils, KCC Highways).

b Compile design guidance and best practice notes on rural accesses and means of enclosure. (KCC, District Councils)

c Consider materials and design to be used for road signs in rural lanes, including protection and maintenance of traditional wooden and cast iron signs (KCC, District Councils).

d Explore the potential for establishing traffic management schemes which set targets for reduction of traffic levels where there are groups of high scoring lanes together (WKCLP).

e Explore the potential for establishing speed restriction or other traffic calming devices on sensitive rural lanes and those which are used as rat runs (WKCLP).

f Work with rural land owners and Highways to minimise use of rural lanes by LGVs through devising preferred routes and using width or weight limits on vehicles (WKCLP).

g Identify areas for Rural Transport Strategies (WKCLP).

h Investigate the scope for legislative change to allow for the downgrading of some minor roads principally for recreational use (WKCLP).

i Identify any 'hotspots' of verge erosion and investigate means of re-instating verges and reducing future damage (KCC, Highways, KWT, KHWP).

Landscape and Nature Conservation Enhancement

j Identify further sites for possible inclusion in the Roadside Verge Nature Reserve Project (verges with nature conservation interest) (KCC, Kent High Weald Project, KWT).

k Promote continued sympathetic management and cutting regimes for verges (KCC Highways).

l Encourage adjoining landowners to maintain roadside ditches, where necessary using land drainage enforcement powers under Section 14 of the Land Drainage Act 1991 (KCC Highways).

m Develop a hedgerow campaign, raising awareness of the issues for conservation management and restoration, traditional management methods and assistance available (KHWP).

n Develop a campaign aimed at promoting the conservation management of roadside shaws and woodlands (KHWP, HWAONB Unit, Landowners)

Recreational Amenity

o Develop and promote leisure and amenity opportunities which make use of rural lanes and associated pedestrian rights of way, for example route planning for foot, bicycle (for example the KHWP Parish Pedals initiative and links to the national SUSTRANS network) and horse riding routes, historic routes (e.g. The High Weald Landscape Trail) (KCC, Districts, KHWP, West Kent Country Lanes Project).

p Investigate the supply of cycles at public transport destinations to allow sustainable transport to tourist destinations such as National Trust properties (WKCLP).

q Include information on the characteristics of rural lanes and information of historic interest in themed publications for sustainable tourism (South East Tourist Board).

Appendices

1	List of features recorded in Rural Lanes Survey.
2a 2b	Reference Map and Index of Rural Lanes with Overall Scores Table.
3	Map of high scoring lanes on landscape and visual amenity.
4	Map of lanes least affected by detractions from visual amenity.
5	Map of lanes affected by inappropriate kerbstones and eroded verges.
6	Map of lanes affected by unsympathetic highway furniture.
7	Map of high scoring lanes on nature conservation value.
8	Map of high scoring lanes on historical/archaeological value.
9	Map of historic lane origins.
10	Map of high scoring lanes for recreational amenity value.
11	Map of lanes with high overall summary scores.

Appendix 1

Features recorded for the purpose of the study

Those features listed in bold have scores i.e. a score of 0 – 3 (negative for those which detract from the visual amenity (those marked with**), attributed to them.

1 Landscape and Visual Amenity Value

Length of lane – in kilometres

Lane name

Width of metalled surface

- **a** single track with passing bays
- **b** two way with no lane marking
- **c** two lane with central lane marking

Winding
horizontal alignment

Sunken
the extent that the lane is below the surface level of adjoining land

Raised
the extent that the lane is above the surrounding level of adjoining land islands – Presence or absence of road islands at junctions

Ditches
either water filled or not

Building of character
listed building or buildings which are of vernacular style

Continuous hedgerows
length of intact hedge which is more-or-less stock proof

Hedgerows with trees
either of the above with the presence of trees

Trees
either lined or over-arching

Woodland
adjoining

Orchards
adjoining

Bridges
any type including motorway bridges and stone bridges

Views
outward across the wider landscape

Brick walls
made from local materials

Stone walls
made from local materials

Chestnut fence

2a Detractions from visual amenity and enhancement opportunities

****Broken hedgerows**
hedges where there are gaps and which are no longer stock-proof

****Widening or Straightening/Lay-bys**

****Erosion of verges**
physical erosion of verges and boundaries by vehicle passage

****Kerbstones**
inappropriate use of

****Deleterious development**

****Access creation**
inappropriate use of materials and design of

****Overhead powercables/phone lines**

****Litter**
fly tipping

****Signing**
unsympathetic to adjoining landscape

****Concrete walls**
of unsympathetic design

****Other walls**
which are not made from the above and are unsympathetic

****Interwoven panel fence**

****Close board fence**

****Other Fence**
using unsympathetic design and style e.g. post and wire

2b Recreational Amenity

Pedestrian facilities
walker links to the Public Rights of Way Network or footway provision

Horse facilities
including riding schools/livery stables and private facilities

Bridleway
network links in the PROW network

Long distance footpaths (LDF's)
links

Circular Walk
in the lane

Cycle tour
included in lane network

Approach to a Tourist attraction

Tourist/Leisure routes
using the lane e.g. High Weald Country Tour

Name of Tourist Route

3 Nature Conservation

Roadside Nature Reserve
according the Road Verge Project

Species-rich Hedges
with a diversity of native woody species and good hedgerow bottom flora

SSSI or SNCI
adjoining

Wide verge
this could provide a valuable habitat refuge for flora and fauna

Severely machine flailed hedge

Ditches

Ancient Woodland
adjoining

4 Historical/Archaeological

Scheduled ancient monument
monument name or reference

Major earthworks
adjoining or one lane

Lesser earthworks
adjoining or one lane

Amorphous earthworks
adjoining or one lane

Parish Boundary
lane lying on the line of a parish boundary before boundary changes in 1980

Parish names
which the lane divides

Roman road
line of recorded Roman road

Iron Way

Drove Road

Turnpike
turnpiked during the 17th and 18th centuries

Approach to historic feature and or building

Literary Connections
referenced location and approximate date of lane existence

Appendix 2a

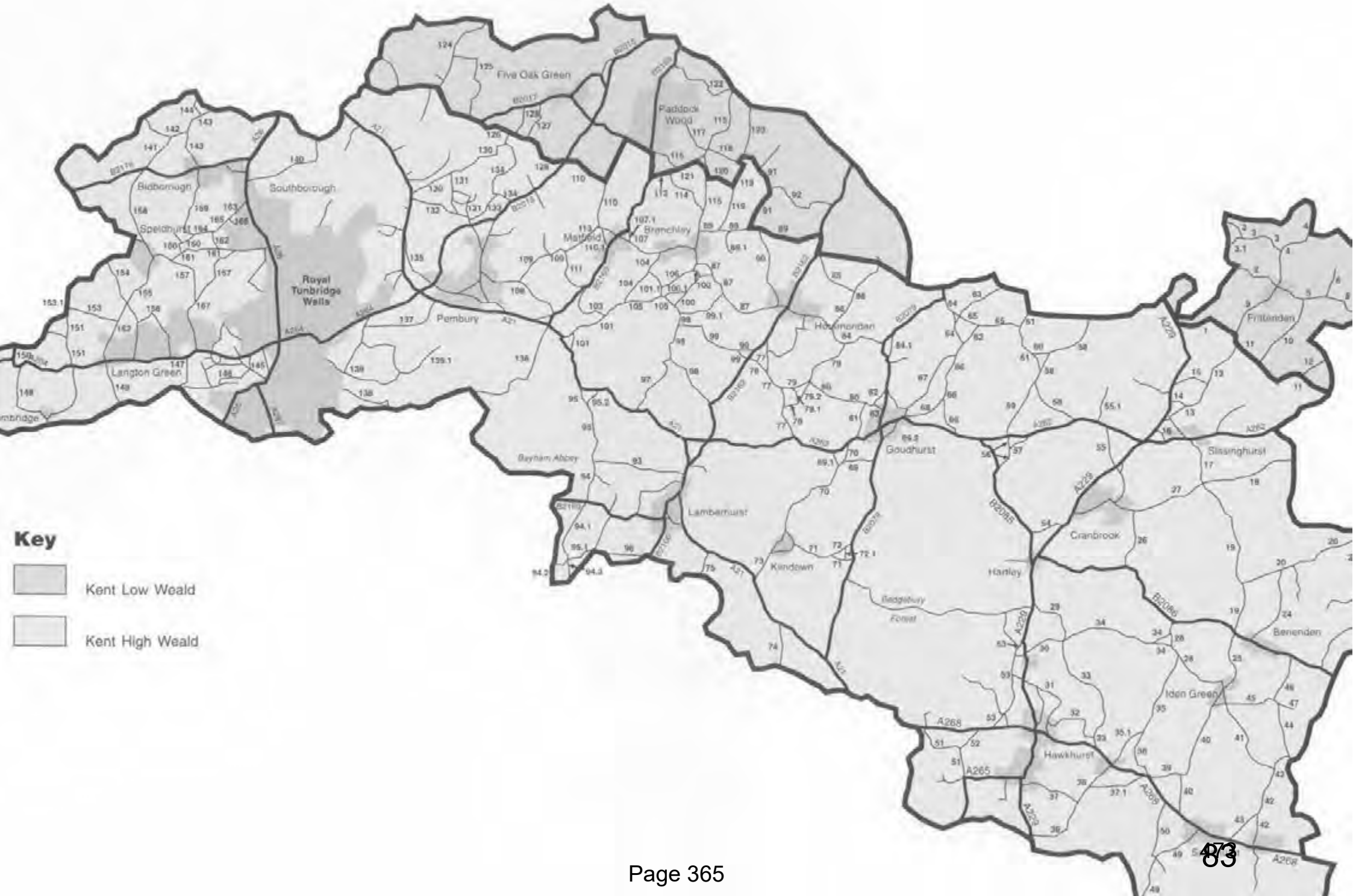
Rural Lanes Study

Lane Ref.	Lane Name	Land-scape & Visual (2-17)	Detra-ctors (-7-0)	Rec. (0-9)	Nature (-1-8)	History (0-12)	Lane Total (0-31)	Scaled Total (-0.35-48.21)
1.0	GRANDSHORE LANE	10	-2	1	4	0	13	18.30
2.0	MILL LANE	13	-3	3	2	0	15	19.71
3.0	STAPLEHURST RD/SINKHURST GREN	11	-1	4	4	0	18	26.01
3.1	MILL LANE	13	-1	0	2	0	14	16.21
4.0	HEADCORN ROAD	10	-1	6	3	8	26	37.51
5.0	POUND HILL/BIDDENDEN ROAD	10	-2	3	5	4	20	29.64
6.0	BUBHURST LANE	10	-2	2	6	0	16	24.46
7.0	COLDHARBOUR LANE	6	0	4	7	0	17	28.50
8.0	AYLESWADE LANE	9	-1	3	8	0	19	30.69
8.1	BOUNDS CROSS	11	-1	2	2	4	18	23.41
9.0	THE STREET/TANYARD ROAD	7	-1	2	2	8	18	24.85
10.0	SAND LANE	10	-4	5	6	4	21	33.40
11.0	DIGDOG LANE/BETTENHAM LANE	11	-4	6	3	1	17	25.78
12.0	HAREPLAIN	7	0	5	5	3	20	31.18
13.0	CRANBROOK ROAD	10	-1	6	8	8	31	48.21
14.0	SPONGS LANE	5	-5	0	0	0	0	-0.35
15.0	LONDON LANE	9	0	0	2	0	11	13.28
16.0	MILL LANE	5	-1	1	1	12	18	24.27
17.0	CHAPEL LANE	8	-2	5	0	6	17	23.42
18.0	CRANBROOK ROAD	3	-1	5	4	4	15	25.33
19.0	CHAPEL LANE/NEW POND ROAD	9	-3	2	7	5	20	31.33
20.0	BENENDEN ROAD	12	-4	3	5	6	22	32.22
21.0	BEXHILL LANE / HALDEN LANE	8	-2	2	4	4	16	23.62
22.0	BISHOPS DEN	6	-1	0	8	0	13	22.05
23.0	STEPNEYFORD LANE/GREEN LANE	13	-4	4	2	3	18	24.60
24.0	WALKHURST ROAD	12	-1	4	1	0	16	20.59
25.0	IDEN GREEN ROAD	10	-1	9	6	3	27	42.77
26.0	TILSDEN LANE	10	-1	0	2	5	16	20.01
27.0	GOLFORD ROAD	5	-4	0	2	4	7	10.44
28.0	BABB'S /COLDHARBOUR LANE	16	-1	5	5	3	26	35.35
29.0	WATER LANE	12	-2	4	2	4	20	27.10
30.0	POTTER'S LANE	9	-1	1	5	0	14	20.51
31.0	HEARTEN OAK ROAD	13	-5	3	5	0	16	23.99
32.0	WHITE'S LANE	12	-3	4	0	0	13	16.31
33.0	WATER LANE	15	-1	5	1	4	24	30.91
34.0	ATTWATER'S LANE/NINEVEH	14	-2	4	2	0	18	23.66
35.0	HINKSDEN ROAD	14	-3	7	3	4	25	35.81
35.1	FOXHOLE LANE	11	0	0	3	0	14	17.42
36.0	CONGHURST LANE	14	-2	2	2	4	20	25.34
37.0	STREAM LANE	15	-2	3	1	0	17	20.64
37.1	RISDEN LANE	14	-3	1	4	4	20	26.87
38.0	HINKSDEN ROAD	17	-1	3	3	5	27	34.79
39.0	SPONDEN LANE	14	0	4	1	0	19	23.66
40.0	MILL STREET	12	-3	7	4	6	26	38.67
41.0	STANDEN STREET	15	-3	4	3	8	27	36.81
42.0	CROUCH LA/STONE PIT	13	0	1	3	8	25	32.18
43.0	RINGLE CROUCH LANE	7	-3	1	0	0	5	5.67
44.0	CROUCH LANE /DINGLEDEN	11	-1	2	1	4	17	21.27
45.0	WOODCOCK LANE	13	0	6	6	4	29	42.56
46.0	RAMSDEN LANE	10	0	3	3	0	16	22.06
47.0	WOODCOCK LANE	9	0	1	1	0	11	13.02
49.0	BODIAM ROAD	13	-4	1	0	4	14	16.04
50.0	SILVERDEN LANE	13	-1	1	4	0	17	22.37

Lane Ref.	Lane Name	Land-scape & Visual (2-17)	Detra-ctors (-7-0)	Rec. (0-9)	Nature (-1-6)	History (0-12)	Lane Total (0-31)	Scaled Total (-0.35-48.21)
51.0	DELMONDEN ROAD	8	-1	1	0	4	12	14.25
52.0	NORTH HILL ROAD	13	0	2	0	4	19	22.20
53.0	SLIPMILL ROAD	13	-2	5	4	4	24	34.26
54.0	TURNDEN LANE	7	-4	0	1	0	4	4.86
55.0	WHITEWELL LANE	10	-1	0	1	4	14	16.51
55.1	FRIEZLEY LANE	9	-3	3	3	3	15	21.93
56.0	FLISHINGHURST LANE	7	0	0	2	0	9	11.28
57.0	CHALK LANE	10	-2	0	3	0	11	14.28
58.0	CLAY HILL / FOLLY HILL	9	-3	2	3	4	15	21.41
59.0	COLLIERS GREEN ROAD	16	-2	1	5	4	24	31.88
60.0	SOUTH OF FOXRIDGE WOOD	9	0	0	5	0	14	19.70
61.0	HUSH HEATH HILL/ROUND GREEN LANE	14	-4	1	7	4	22	32.02
62.0	COMBOURNE LANE	7	-7	0	0	4	4	4.95
63.0	WILDEN PARK ROAD	13	-4	0	6	4	19	27.00
64.0	WORMS HILL/CURTISDEN GREEN LANE	11	-3	1	2	4	15	19.39
65.0	HORDERN LANE	4	-2	0	3	4	9	13.72
66.0	JARVIS LANE /MILE LANE	14	-1	1	3	4	21	28.67
67.0	LADHAM LANE	11	-1	2	2	4	18	23.41
68.0	JARVIS LANE	14	-3	2	4	4	21	28.55
69.0	PEASLEY LANE	6	-2	1	5	0	10	16.44
69.1	BLUECOAT LANE	2	-2	1	0	0	1	1.74
69.2	MAYPOLE LANE	11	-2	1	4	0	14	19.30
70.0	RANTERS LANE/RISEDEN LANE	13	-5	8	5	0	21	33.39
71.0	ROGERS ROUGH ROAD	13	-1	5	3	0	20	27.75
72.0	PRIORS HEATH	6	0	1	0	0	9	9.88
72.1	UNKNOWN	3	0	1	0	0	4	4.68
73.0	CHURCH LANE	5	0	1	1	0	7	9.02
74.0	ROSEMARY LANE	10	-3	2	2	0	11	14.83
75.0	BEWBRIDGE LANE	8	0	5	4	0	17	25.96
76.0	RUCK LANE	10	0	4	2	0	16	21.80
77.0	SPELMONDEN ROAD	6	-1	4	2	0	11	16.73
78.0	UNKNOWN	16	-1	2	3	0	20	25.11
79.0	SMALLBRIDGE LA. / BRICK KILN LA.	11	-1	5	0	0	15	19.33
79.1	RECTORY PARK ROAD	5	-2	0	1	0	4	5.00
79.2	BRICK KILN LANE	6	-2	2	0	0	6	7.62
80.0	SMALL BRIDGE LANE	10	-3	4	4	0	15	22.87
81.0	SMITHS LANE	10	-1	5	4	4	22	32.33
82.0	LIDWELLS LANE	5	-2	0	3	0	6	9.28
83.0	BLIND LANE	8	0	1	2	8	17	23.04
84.0	BALLARDS HILL	9	-4	1	2	8	16	21.76
84.1	GORE LANE	8	-5	1	3	3	10	15.03
85.0	HAYMANS HILL	13	-3	5	2	3	20	27.55
86.0	GROVEHURST LANE	11	-4	5	3	4	19	27.98
87.0	BRENCHLEY/HORSMONDEN ROAD	13	-1	4	4	4	24	33.45
89.0	YEW TREE GREEN/ CROOKE ROAD	12	-1	4	3	2	20	27.59
89.1	PALMERS GREEN LANE	14	-6	2	3	0	13	17.76
90.0	FURNACE LANE	14	-5	2	4	0	15	20.97
91.0	PEARSON'S GREEN LANE	11	0	5	4	4	24	34.40
92.0	CHURN LANE	9	-3	4	7	0	17	28.29
93.0	MOUNT PLEASANT LANE	17	0	2	5	0	24	31.46
94.0	CLAY HILL ROAD	10	-1	0	2	0	11	13.21
94.1	FREEHEATH ROAD	9	-2	2	1	2	12	15.48
94.2	SLEEPERS STILE ROAD	7	0	1	0	0	8	8.88
94.3	FREEHEATH ROAD	8	0	1	0	0	9	9.88
95.0	CLAYHILL ROAD	13	-4	1	3	7	20	26.54
95.1	NEILLS ROAD	10	-1	1	0	0	10	10.81
95.2	PERCH LANE	7	-6	0	1	0	2	2.72
96.0	HOG HOLE LANE	10	-1	0	2	0	11	13.21

Lane Ref.	Lane Name	Land-scape & Visual (2-17)	Detra-ctors (-7-0)	Rec. (0-9)	Nature (-1-8)	History (0-12)	Lane Total (0-31)	Scaled Total (-0.35-48.21)
97.0	CUCKOO LANE	10	-1	1	0	0	10	10.81
98.0	TONG LANE	9	0	3	2	4	18	24.36
99.0	MARLE PLACE ROAD	13	-1	4	0	0	16	19.45
99.1	SPOUT LANE	11	0	2	3	0	16	21.18
100.0	FAIRMAN'S ROAD	9	-1	5	1	4	18	24.81
100.1	SHORT LANE	7	-6	1	0	0	2	2.46
101.0	CRYALS/PETTERIDGE RD	12	-4	1	0	0	9	9.60
101.1	TIBB'S COURT LANE	12	-4	2	1	8	19	24.50
103.0	SOPHURST LANE	10	-5	1	1	0	7	8.67
104.0	PETTERIDGE LANE	13	-6	4	2	8	21	29.26
105.0	CRYALS ROAD	9	-1	5	0	4	17	22.77
106.0	HATMILL LANE	10	-2	1	0	4	13	15.18
107.0	BRENCHLEY ROAD	3	-5	3	0	0	1	3.29
107.1	COPPERS LANE	4	-1	4	1	0	8	12.59
108.0	KINGSTOLL ROAD	11	-3	7	1	0	16	23.09
109.0	ROMFORD ROAD	9	-1	7	1	0	16	23.23
110.0	CHESTNUT/CRITTENDEN LANE	13	-3	4	1	4	19	24.89
110.1	UNKNOWN	8	-1	6	4	0	17	26.77
111.0	BRAMBLE REED LANE	12	-4	2	2	0	12	15.76
112.0	CHANTLERS HILL	6	-1	1	1	0	7	8.95
113.0	FOXHOLE LANE	10	-2	6	1	0	15	21.28
114.0	WATERMAN'S LANE	9	-3	2	0	0	8	9.55
115.0	QUEEN STREET/MILE OAK ROAD	11	-3	1	3	0	12	16.09
116.0	MASCALL'S COURT ROAD	6	-2	2	0	0	6	7.62
117.0	CHURCH ROAD	5	-1	1	2	1	8	11.45
118.0	MILE OAK ROAD	7	-1	3	3	0	12	17.99
119.0	KNOWLE ROAD	9	-1	2	4	4	18	25.69
120.0	KNOWLE LANE	6	0	3	3	0	12	18.06
121.0	MASCALL'S COURT ROAD	7	-4	1	0	4	8	10.04
122.0	LUCKS LANE	10	-6	2	4	0	10	15.90
123.0	WILLOW LANE	8	-1	2	3	0	12	17.11
124.0	HARTLAKE ROAD	12	-2	4	3	4	21	29.24
125.0	SHERENDEN ROAD	12	-2	4	2	0	16	21.66
126.0	ALDERS ROAD	11	-3	3	0	0	11	13.43
127.0	SYCHEM LANE	10	-1	2	0	0	11	12.69
128.0	CHURCH LANE	6	-1	3	0	0	8	10.57
130.0	DISLINGBURY ROAD	12	-2	6	5	0	21	31.84
131.0	PEMBURY HALL ROAD	11	-2	9	5	0	23	36.46
132.0	PEMBURY WALKS	5	-1	5	3	0	12	19.75
133.0	REDWINGS LANE	12	0	5	3	0	20	27.82
134.0	AMHURSTBANK ROAD	10	-1	3	1	0	13	16.71
135.0	TONBRIDGE ROAD	4	-4	1	3	4	8	13.46
136.0	DUNDALE ROAD	12	-3	3	3	4	19	26.29
137.0	CORNFORD ROAD	16	-1	7	5	0	27	38.79
138.0	HAWKENBURY ROAD	11	-1	2	6	0	18	26.53
139.0	HALLS HOLE ROAD	9	-5	8	1	0	13	20.83
139.1	HIGH WOODS LANE	12	-5	3	6	0	16	25.13
140.0	VAUXHALL LANE	13	-2	4	-1	0	14	16.24
141.0	HAYESDEN LANE	9	0	3	1	4	17	22.22
142.0	ENSFIELD ROAD	8	-2	4	1	4	15	20.96
143.0	GATE FARM ROAD	14	0	6	0	0	20	25.28
144.0	UPPER HAYESDEN ROAD	10	-2	4	0	4	16	20.82
145.0	MAJOR YORK'S ROAD	6	-3	7	0	0	10	15.95
146.0	HUNGERSHALL PARK	11	-2	2	0	0	11	12.62
147.0	TEA GARDEN LANE	12	-4	1	4	0	13	18.16
148.0	BROOM LANE	15	-1	3	2	4	23	29.29
149.0	GROOMBRIDGE ROAD	11	-2	1	1	0	11	12.88
150.0	BROAD LANE	10	-2	0	0	0	8	7.96

Lane Ref.	Lane Name	Land-scape & Visual (2-17)	Detra-ctors (-7-0)	Rec. (0-9)	Nature (-1-8)	History (0-12)	Lane Total (0-31)	Scaled Total (-0.35-48.21)
151.0	OLD HOUSE LANE	7	0	5	1	0	13	18.54
152.0	SPELDHURST ROAD	5	-2	3	0	0	6	8.50
153.0	LEGGS LANE	14	-2	3	0	0	15	17.50
153.1	POUNDSBRIDGE HILL	8	0	2	1	0	11	13.90
154.0	BULLINGSTONE LANE	9	-1	2	1	4	15	19.27
155.0	SPELDHURST ROAD	14	-2	2	0	4	18	21.06
156.0	FARNHAM LANE/BURNTHOUSE LANE	9	0	1	-1	0	9	8.74
157.0	LOWER GREEN ROAD	12	-3	3	0	4	16	19.87
158.0	BARDEN ROAD	7	-7	5	0	0	5	8.91
159.0	FRANK'S HOLLOW ROAD	17	-2	4	3	0	22	28.80
160.0	STOCKLANDS GREEN RD	10	-1	8	0	0	17	23.97
161.0	ETHERINGTON HILL	16	0	4	0	0	20	23.52
162.0	BENTHAM HILL	8	0	3	0	0	11	13.64
163.0	CONSTITUTION HILL RD	10	-2	2	1	0	11	13.76
164.0	STOCKLANDS GREEN RD	8	-1	3	0	0	10	12.57
165.0	VICTORIA ROAD	4	-2	3	3	0	8	13.92
166.0	CONSTITUTION HILL RD	6	0	2	3	0	11	16.18
167.0	BROOMHILL BANK ROAD	15	0	3	2	0	20	24.92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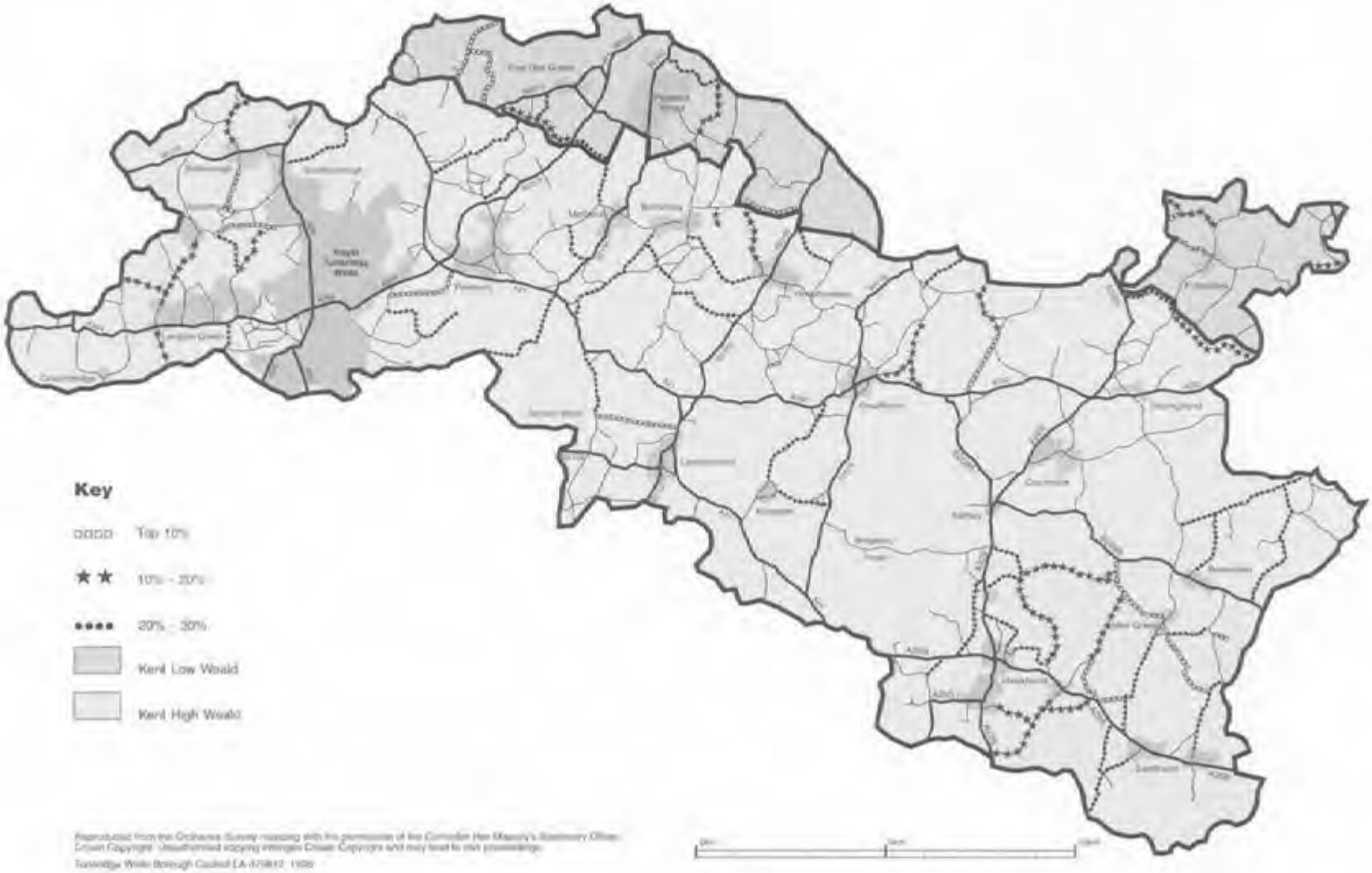
Bidborough
Southborough
Speldhurst
Royal Tunbridge Wells
Matfield
Brenchley
Pembury
Horsmonden
Frittenden
Langton Green
Bayham Abbey
Goudhurst
Sissinghurst
Lamberhurst
Cranbrook
Kilndown
Hartley
Benenden
Iden Green
Hawkhurst
Key
Kent Low Weald
Kent High Weald

Appendix 3

Lanes of high landscape and amenity value in Tunbridge Wells Borough



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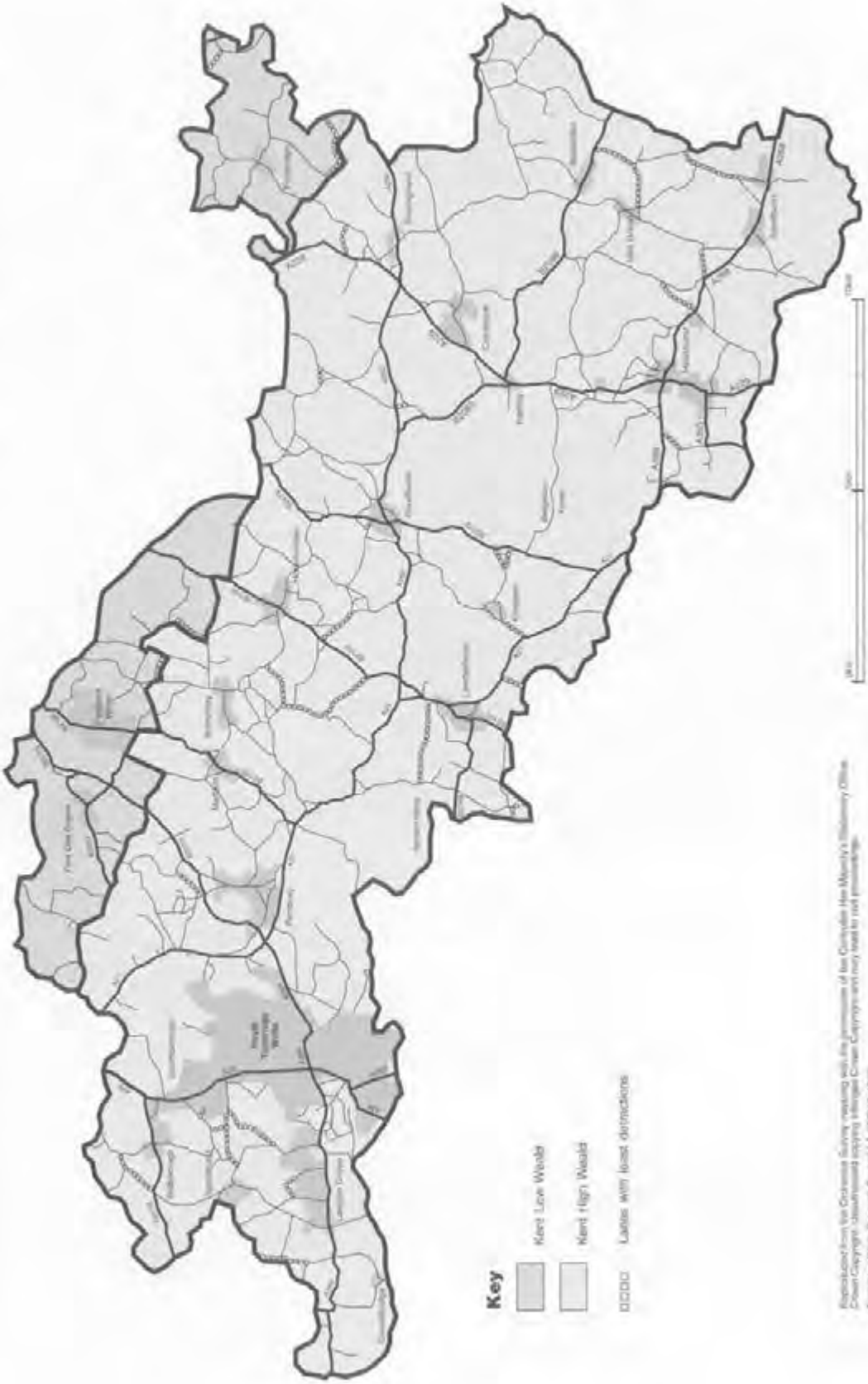
Tunbridge Wells Borough Council LA 076812 1998

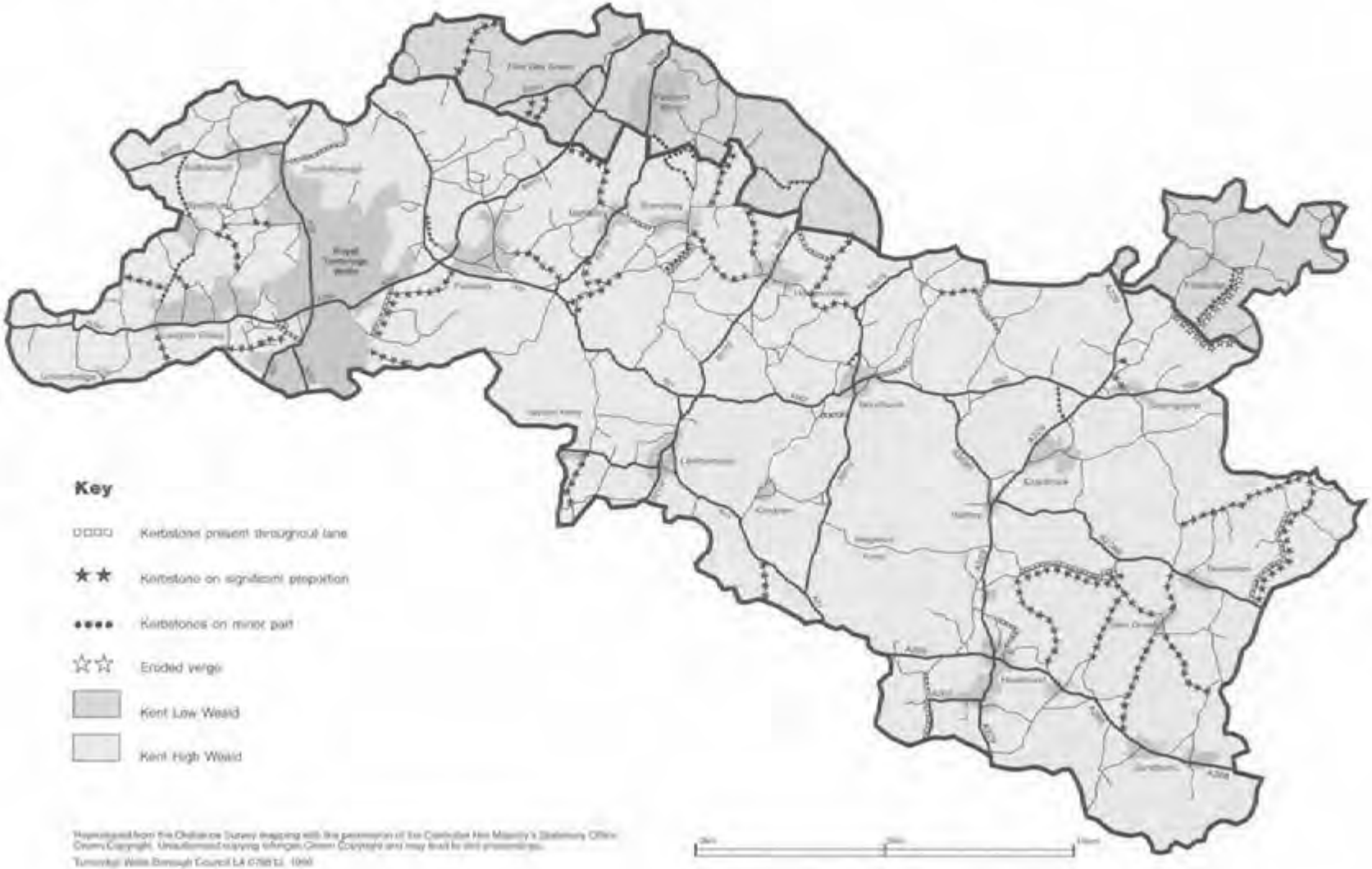
Appendix 4

Lanes with least detractions from visual amenity in Tunbridge Wells Borough



Appendix 5

Lanes with eroded verges and inappropriate kerbstones in Tunbridge Wells Borough



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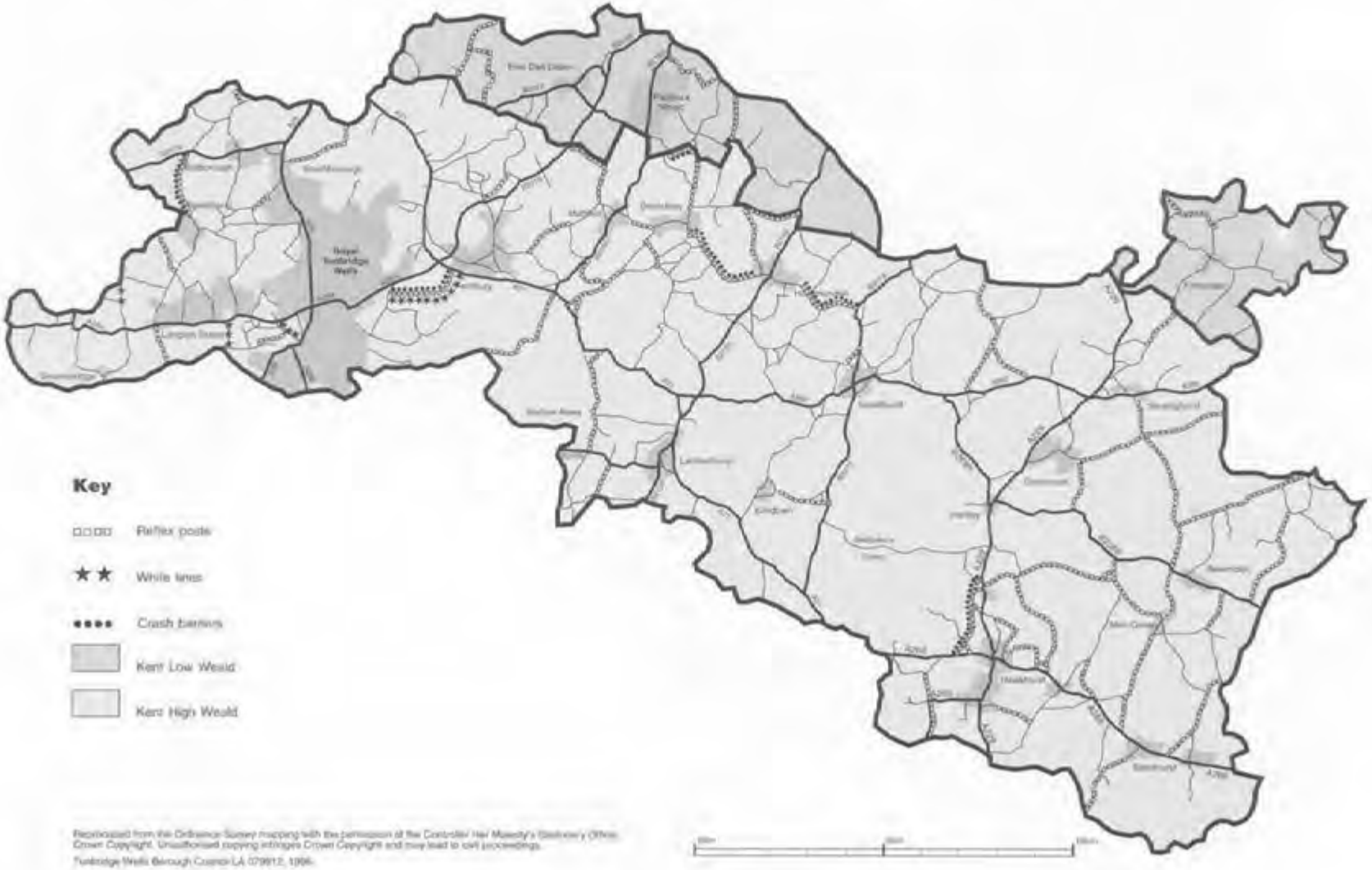
Appendix 6

Lanes with highway furniture in Tunbridge Wells Borough



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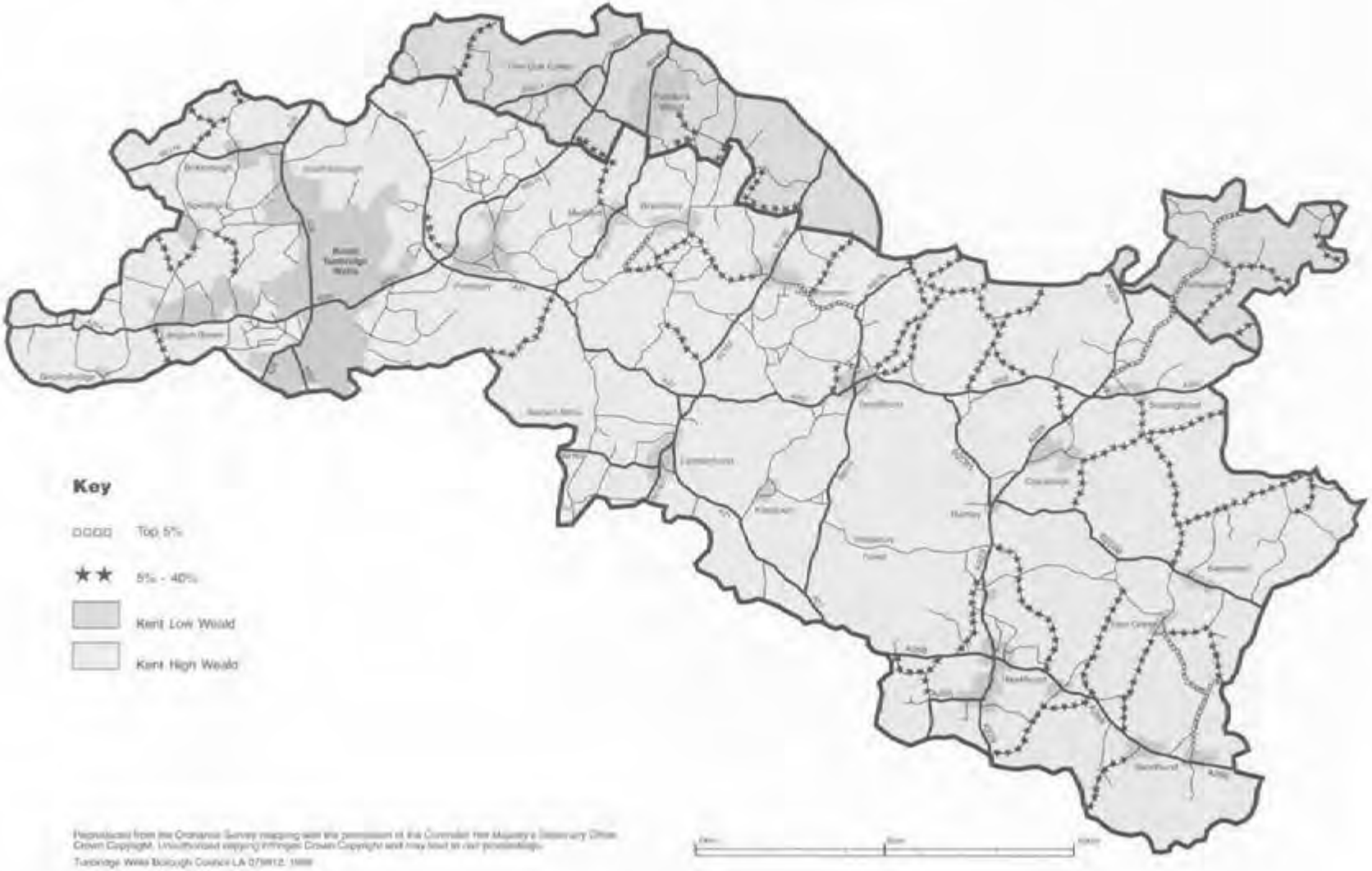
Appendix 7

Lanes of high nature conservation value in Tunbridge Wells Borough

Appendix 8

Lanes of historic value in Tunbridge Wells Borough



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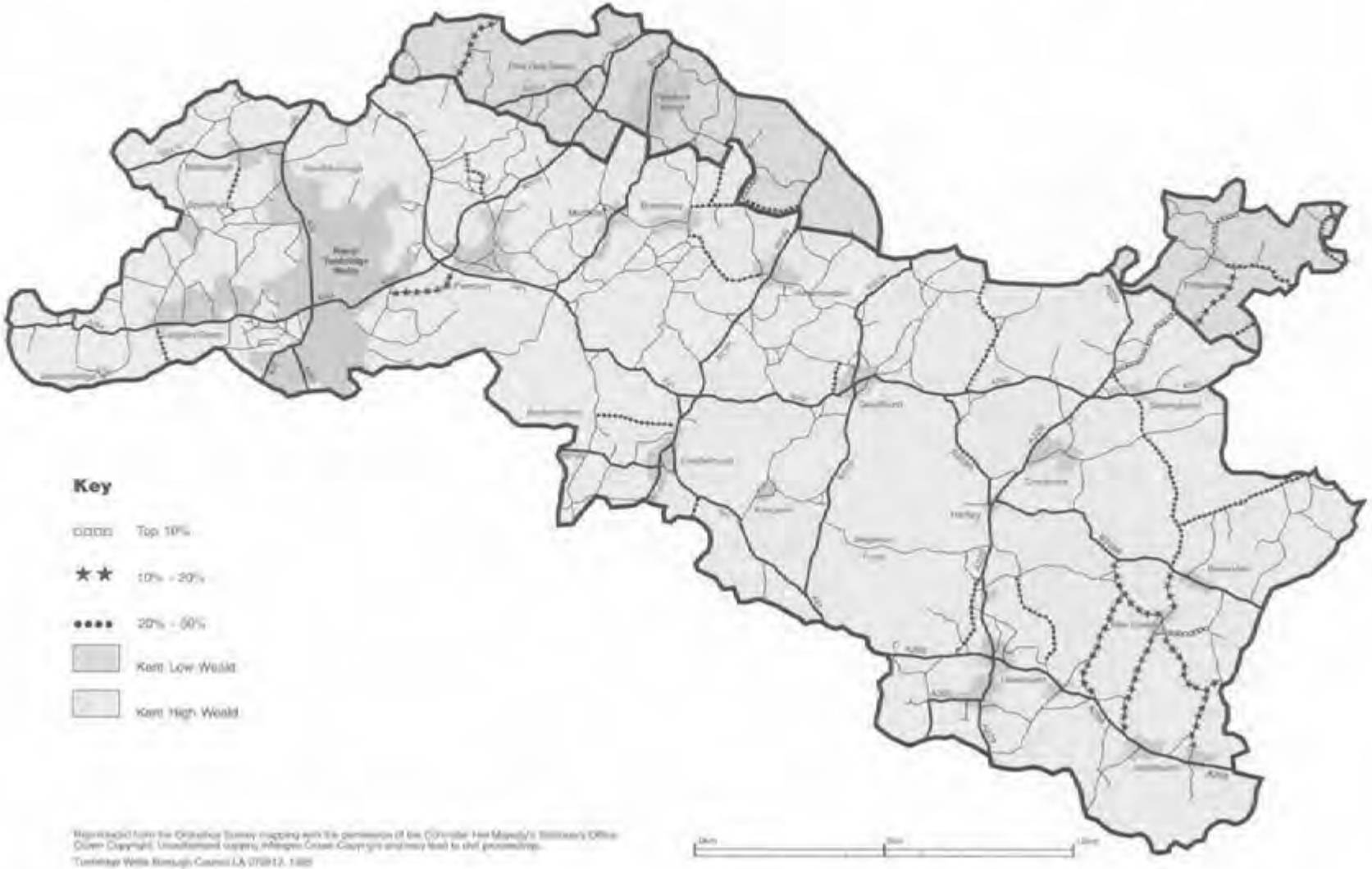
Appendix 11

Rural lanes with high overall scores in Tunbridge Wells Borough



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Appendix 9

Historic routes in Tunbridge Wells Borough

Appendix 10

Lane with high recreational amenity value in Tunbridge Wells Borough

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Tunbridge Wells Borough

Local Plan

Tunbridge Wells Borough Council

Authority Monitoring Report 2023/24

April 2025

Tunbridge Wells Borough Council

6.17 **Table 25** is based on data obtained from DEFRA (2024: see Statistical Data Set: Local Authority Collected Waste: Annual Results Tables). This shows that the total collected waste (in tonnes) has continually decreased in the borough over the period 2014/15-2022/23. The level of waste sent for recycling/composting/reuse has fluctuated while the level of waste not sent for recycling has decreased, however, the total tonnage of waste recycled has declined less than the total not recycled, indicating that recycling is increasing in relative terms.

Core Policy 6: Housing Provision

Five Year Housing Land Supply

6.18 Housing completion figures are provided in relation to Core Policy 1 – Delivery of Development. Please see the Council's website for detailed information on the Five-Year Housing Land Supply and the Housing Delivery Test (see Monitoring Information).

6.19 The Five-Year Housing Land Supply Statement contains information on all sites and planning permissions that contribute to the land supply while the Housing Delivery Test Action Plan addresses how the Council intends to support future housing delivery across the borough.

Dwellings Completed on PDL

- Core Strategy Target of 65% on PDL between 2010 and 2026; 2023/24 = 35.7%

Local Indicator H4; Net Additional Traveller Pitches

Target: None set

6.20

6.21 The Council published a new Gypsy and Traveller Accommodation Assessment (GTAA) in 2024 which identified Gypsy and Traveller pitch needs to 2039. As set out within the Council's Five-Year Gypsy and Traveller Pitch Supply Statement 2024, the Council can demonstrate a pitch supply of 3.24 years under the ethnic definition (which the Council proposes to adopt) as at 1 April 2024. The Submission Local Plan aims to plan for additional pitches over the Plan period (to 2038) that will meet the outstanding Gypsy and Traveller Accommodation Assessment need. This outstanding need is based on the need for 52 pitches (ethnic definition) over the period 2024-2038. As at 1 April 2024, a supply of 40-41 pitches is identified through existing/anticipated supply, potential additional pitch capacity at existing sites, and potential additional pitches at new site allocations. Further pitches are anticipated to come forward as windfalls. Further details are provided in the Submission Local Plan and Housing Topic Papers as part of the Local Plan evidence base, along with the latest Five-Year Gypsy and Traveller Pitch Supply Statement 2024 referred to above.

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LAND BETWEEN KILNDOWN PF AND EVANDEN FARM CHURCH ROAD KILNDOWN CRANBROOK KENT TN17 2RT

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North

VIEWS OF SITE FROM PROW

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0 12.5 25 37.5 50 62.5 75 87.5 100 112.5 125 137.5 150 162.5 175 187.5 m

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BARNFIELD

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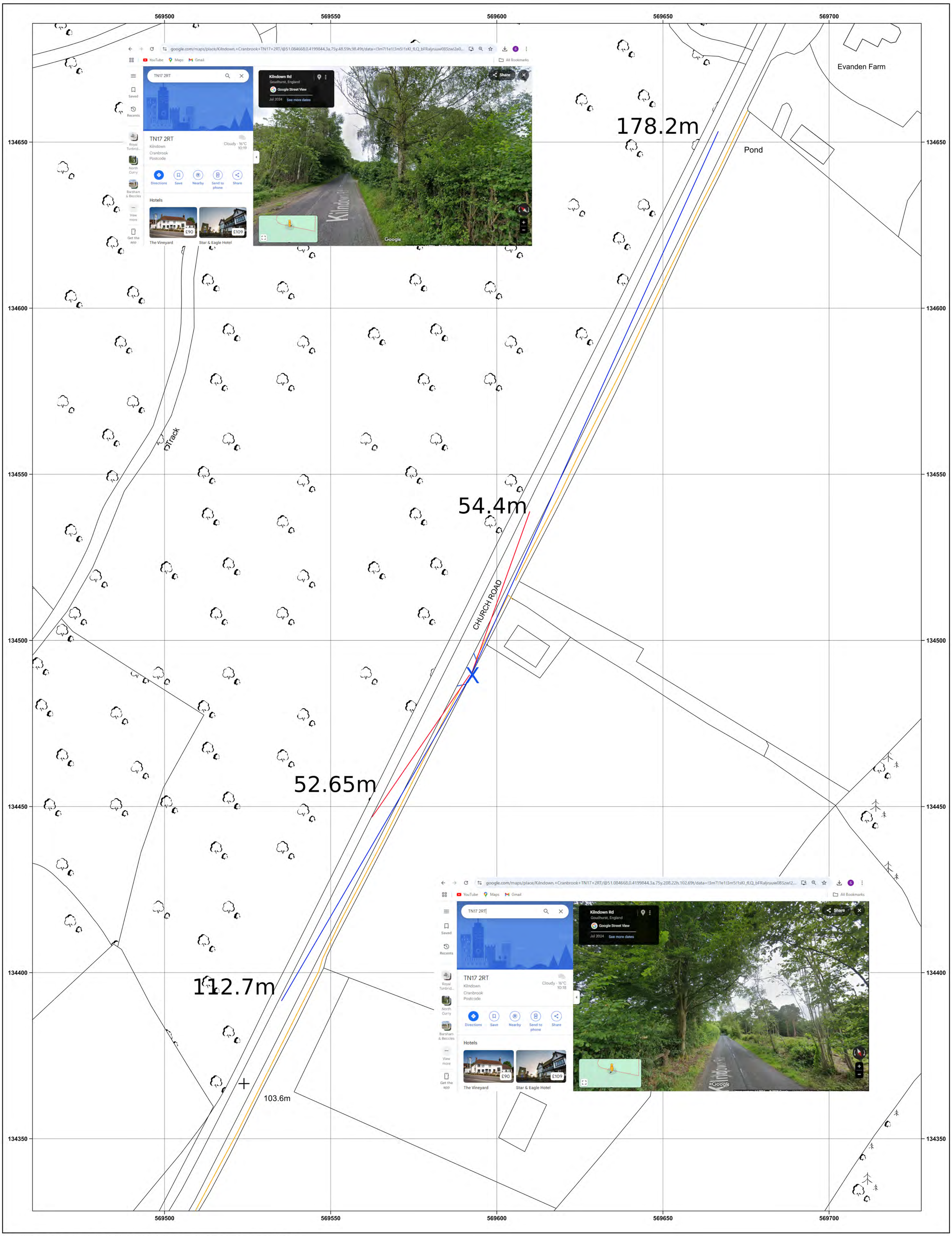
Product Info: www.ukmapcentre.com/block-plans-500-scale
Serial No: 311167
Centre Coordinates:569594,134507
Production Date:01/06/2025

North



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Scale 1:500 - 1cm = 5m - A1 Size

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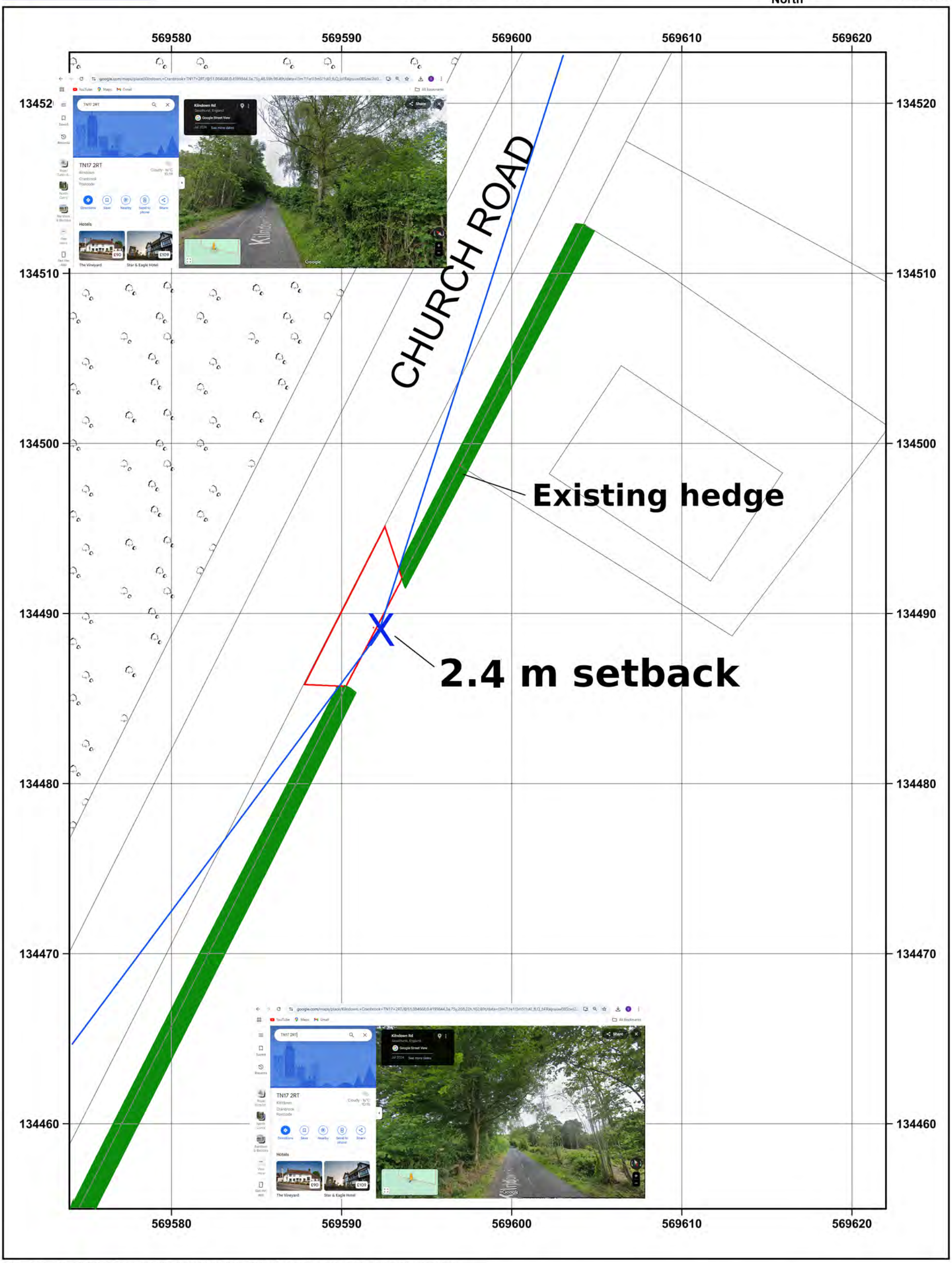
Scale 1:200 - 1cm = 2m - A3 Size

North



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Years

25 of 25 years selected

Severity

Fatal ☑

Serious ☑

Slight ☑

Casualty Types:

All Casualty Types

Vehicles Involved:

All Vehicle Types

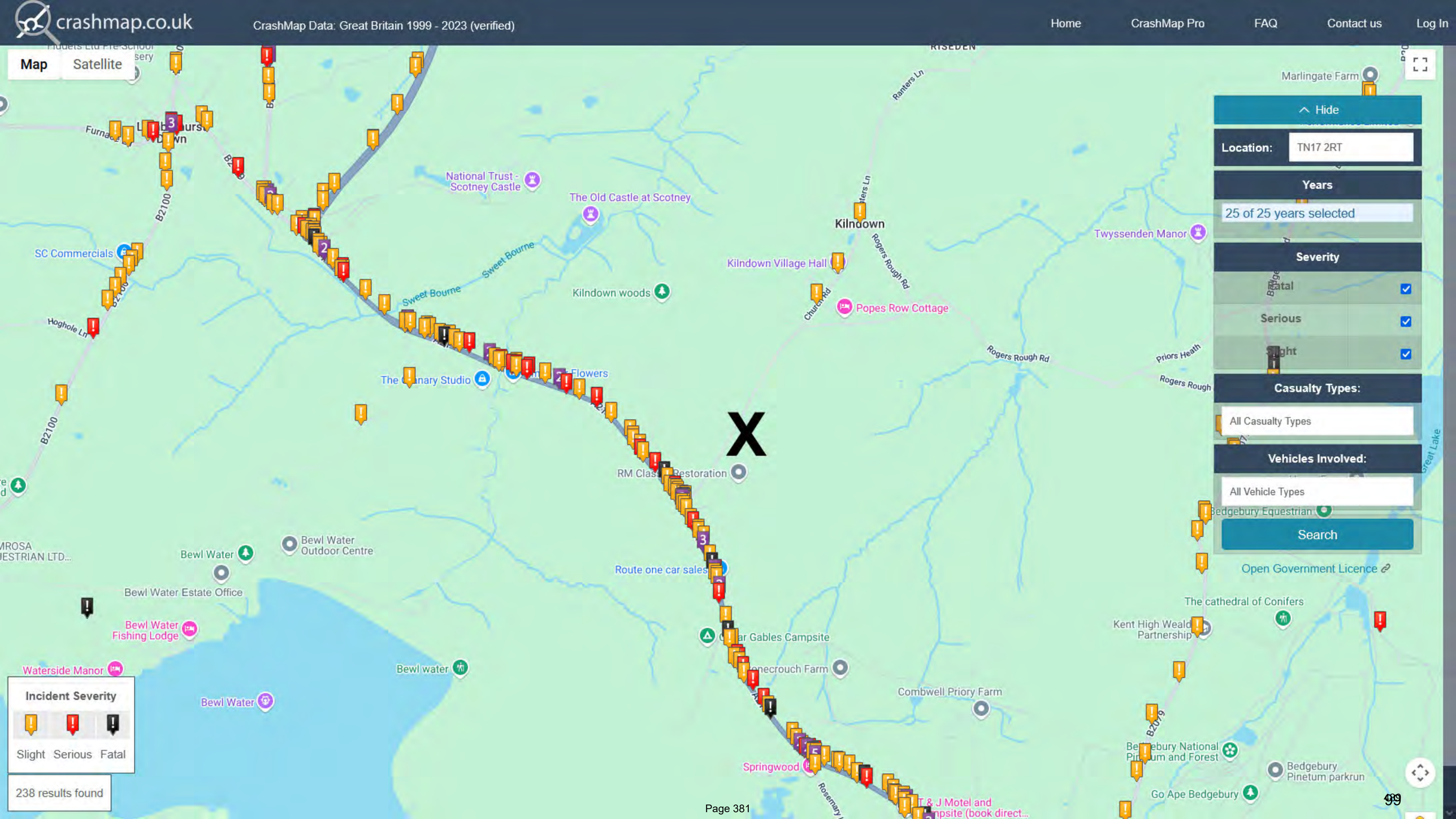
Search

Open Government Licence

Incident Severity

Slight Serious Fatal

39 results found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Fatal
Serious
Slight
Casualty Types:
All Casualty Types
Vehicles Involved:
All Vehicle Types
Search
Open Government Licence
Incident Severity
Slight
Serious
Fatal
238 results found
X
Kilndown
Sweet Bourne
Kilndown woods
National Trust - Scotney Castle
The Old Castle at Scotney
Kilndown Village Hall
Popes Row Cottage
Twyssenden Manor
Marlingate Farm
SC Commercials
Hoghole Ln
B2100
Rogers Rough Rd
Priors Heath
Ranters Ln
Church Rd
RM Classic Restoration
Route one car sales
Bewl Water
Bewl Water Outdoor Centre
Bewl Water Estate Office
Bewl Water Fishing Lodge
Waterside Manor
Bewl water
Combwell Priory Farm
Springwood
Rosemary
The cathedral of Conifers
Kent High Weald Partnership
Bedgebury National Pinetum and Forest
Bedgebury Pinetum parkrun
Go Ape Bedgebury
Bedgebury Equestrian
Great Lake

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BARNFIELD

Supplied by: www.ukmapcentre.com
Product Info: www.ukmapcentre.com/block-plans-500-scale
Serial No: 311167
Centre Coordinates: 569594,134507
Production Date: 01/06/2025

North

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LAND TO WEST OF APPLICATION SITE

0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100 m

Scale 1:500 - 1cm = 5m - A1 Size

Ordnance Survey Licensed Data

Andrew Culley

From: Leah.Goldwater@kent.gov.uk
Sent: 30 May 2025 13:35
To: Andrew Culley
Cc: Lucinda Roach; Richard Hazelgrove; Louise.Gordon@kent.gov.uk
Subject: Re: Urgent High way safety assessment
Attachments: KCC_Highways_Report_Land_Between_Kilndown_Poultry_Farm_and_Evanden_Farm_Church_Road_TWBC (2).pdf; Response_TW-25-00511-FULL.pdf; Response_TW-25-00511-FULL(1).pdf

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Andrew,

Please find attached the requested report from KCC Highways. I have also attached some previous responses that are referenced within the report.

Kind regards,
Leah

Leah Goldwater | Senior Transport and Development Planner – Tunbridge Wells | Development and Transport Planning West | Kent County Council Highways, Transportation & Waste | KCC Depot, Kroner House, Eurogate Business Park, Ashford, TN24 8XU | Tel: 0300 041 9546

Please Note: *If you wish to make a representation in relation to highways matters associated with a planning application, please make these directly to the Local Planning Authority (LPA). As Local Highway Authority, KCC provide a technical review of planning applications upon receipt of a formal request from the LPA. All planning application consultation requests and information relating to live applications must be made following this formal process via the Local Planning Authority. KCC Highways will aim to provide a response to such requests within 21 days. If we are unable to meet this deadline, we will contact the planning case officer accordingly. We will try to accommodate any requests for quicker responses but cannot guarantee prioritisation.*

From: Andrew Culley <Andrew.Culley@Tunbridgewells.gov.uk>
Sent: Thursday, May 29, 2025 1:23 PM
To: Leah Goldwater - GT TRA <Leah.Goldwater@kent.gov.uk>; Louise Gordon - GT TRA <Louise.Gordon@kent.gov.uk>
Cc: Lucinda Roach <Lucinda.Roach@TunbridgeWells.gov.uk>; Richard Hazelgrove <Richard.Hazelgrove@Tunbridgewells.gov.uk>
Subject: RE: Urgent High way safety assessment

Some people who received this message don't often get email from andrew.culley@tunbridgewells.gov.uk. Learn why this is important
Good afternoon,

Sorry to email again, my legal team have contacted me today asking if a highways' s safety assessment report will be possible by end of Friday as they are looking to serve the court packs on Monday.

Thank you in advance for your assistance with this, please feel free to contact me to discuss or for any additional information you might need.

Kind regards

Andy Culley
Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
Access planning services online at: www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

As has been widely publicised, since 01 April 2017 TWBC publicises applications for planning permission and listed building consent by Site Notice only. Letters are no longer sent to neighbouring properties (except for "larger household prior notifications").

You can register your details on the Council's website and set up an "area of search" to be notified of any applications on neighbouring properties, or within a particular road or area of the Borough, by clicking here: http://www.tunbridgewells.gov.uk/notify

All advice given in this correspondence is given at Officer level only and does not prejudice any future decision this authority may make.

From: Andrew Culley
Sent: 27 May 2025 17:49
To: Leah.Goldwater@kent.gov.uk; louise.gordon@kent.gov.uk
Cc: Lucinda Roach <Lucinda.Roach@TunbridgeWells.gov.uk>; Richard Hazelgrove <Richard.Hazelgrove@Tunbridgewells.gov.uk>
Subject: Urgent High way safety assessment

Good Afternoon,

I am emailing to request an urgent Highway's safety assessment report, this has been requested by the High court on Friday 23 May by Mr Justice Dexter Dias he has requested prior to 6 June 2025 :- ii. Provide an assessment of any highway safety issues at the Land. The full Injunction can be seen on our website https://tunbridgewells.gov.uk/__data/assets/pdf_file/0004/498082/1692364-Kings-Bench-Associates-Order-1.pdf further information on the case is also available @ https://tunbridgewells.gov.uk/planning/enforcement

Would you please be able to make an assessment as soon as possible as this will need to be disclosed to all parties prior to the 6 June to give them time to review your findings.

The site currently has a gypsy traveller family residing in a static caravan (without planning permission) on it. The plot of land has been divided into 4 parcels each accessed via this entrance. Of these parcels, 2 have been bought by a relative of the previously mentioned family (who already reside on the site).

To enable you to assess this I have include a map of Church road, Kilndown Cranbrook nearest Postcode TN17 2SE. The Entrance is set back from the roadway by approximately 3.2 meters and is approximately 4 meters wide. When standing on the entrance it has hedges each side I stood at the approximate position a car would be before it entered the high way and took a photo for each view below:

Looking right

Looking left

When looking north up the road view of the entrance

When looking south down the road the entrance is concealed until very close as seen in this photo.

View from inside the entrance (about 6 meters inside) is made of possibly loose road planing's/scalping's.

If you require any further information for this request please let me know.

Kind regards

Andy Culley
Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
Access planning services online at: www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

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All advice given in this correspondence is given at Officer level only and does not prejudice any future decision this authority may make.

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Kent County Council
kent.gov.uk

Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 03000 418181
Date: 30 May 2025
Our Ref: LHG

Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Highway Safety Assessment Report as Requested by Tunbridge Wells Borough Council

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent

Within the timescales of KCC Highways and Transportation (KCC H&T) receiving the request of providing a report relating to highway safety matters, to the deadline, a site visit was not possible. Therefore the following assessment has been made from a desktop review using Google Streetview and the photographic evidence supplied to KCC H&T from Tunbridge Wells Borough Council.

It is noted that an application including a new access at this site had been submitted to Tunbridge Wells Borough Council under ref. TW/25/00511, and was refused by the Local Planning Authority. A copy of KCC H&T's responses are included. The KCC Vehicle Crossover team would need to be consulted with regard to the surfacing and the drainage for the new access.

Checking the crash data that is available to KCC, there are no personal injury or damage only collisions at this location for the last available three-year period (up to 31.12.2024).

The access that has been created is taken from Church Road (C106), which is classified as a minor road. As such, Manual for Streets 2 Guidance would be used to determine the requirements of the vehicular visibility splays from the new access. In the absence of speed surveys, the visibility splay requirements of a new access would need to be provided in accordance with the posted speed limit, which is unrestricted in this location and therefore is 60mph. This requires minimum visibility splays of 2.4m x 215m to the nearside edge of carriageway, in each direction. These splays would be expected to contain no obstructions above a height of 0.9m within, and where there are obstructions these would need to be cut back, repositioned or removed.

Along the section of highway outside of the newly created access, the alignment of Church Road is straight without the presence of bends within a distance of 215m in each direction. Therefore, splays of distance 215m should be able to extend to the nearside edge without entering the carriageway, if assumed to fall across land in the ownership of the applicant and/or highway authority and if clear from obstruction. The definitive highway boundaries are unknown, and the ownership of the hedging and/or vegetation abutting the nearside of Church Road is therefore in unknown ownership. Therefore, it is unclear whether these splays for its

full length would be able to be maintained such that vegetation clearance can be achieved.

From a desktop assessment using Google Streetview and reviewing the photographic evidence supplied to KCC H&T from Tunbridge Wells Borough Council, it is clear that there is currently vegetation either side of the new vehicle access which is obstructing the visibility of a driver when emerging from the site and sitting a point circa 2.4m back from the edge of live carriageway, which restricts the available visibility to a level that is not in line with national guidance. This could encourage a driver emerging from the access to creep into the highway, creating a highway safety risk to oncoming vehicles and cyclists. From Church Road, the access appears concealed and, for vehicles travelling along Church Road, it is not clear that there is an access present which creates a hazard for highway users. Currently, the visibility requirements in line with national guidance do not appear to be achieved as a result of the vegetation obstruction within the required visibility envelope.

The material used at the site entrance appears to be loose, and the highway authority would expect a bound material to be used for at least the first 5m to prevent vehicles picking the material up and scattering on highway and so that wheels of vehicles can grip the surfacing, which would create a highway hazard. The gate would also be expected to be situated a point of at least 6m back from the edge of highway to allow cars to pull off the highway fully and to provide a place to wait whilst the gates can be opened.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Yours faithfully

Director of Highways & Transportation

*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.

Kent County Council
kent.gov.uk

Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 03000 418181
Date: 25 April 2025
Our Ref:

Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Application - TW/25/00511/FULL
Location - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown, Cranbrook, Kent,
Proposal - Construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:-

Introduction

The proposals seek approval for the construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection.

Discussion

KCC Highways has previously provided comments on this application, dated March 2025, which sought additional clarification with respect to the achievability of the visibility splays from the proposed access.

The applicant has submitted a Highway Visibility Splay Plan (*Drawing Reference: 24/21/003*) to demonstrate whether the required visibility splays of 2.4 x 215m in line with guidance for a 60mph can be achieved. Whilst the drawing indicates that the splays can be achieved to the far side of the carriageway, splays should be demonstrated as measured to the nearside carriageway to ensure that all road users, including vulnerable users are included within the assessment of the safety of the access arrangement is determined.

It is indicated that the applicant has evidenced that splays are achievable within land controlled by the highway authority, as highlighted in yellow, it is however, unclear from the drawings submitted where this is indicated. For clarity the applicant should provide this clearly, as it is the responsibility of the promoter to demonstrate land ownership and that required vegetation clearance can be achieved. The relevant information can be obtained via the below link:
https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries

It is considered possible that vehicle speeds may be below the posted speed limit and therefore should it not be possible for the applicant to demonstrate 2.4 x 215m visibility splays

are achievable as described above, KCC Highways would accept reduced splays if lower speeds are evidenced. To do so the applicant should undertake a speed survey in accordance with guidelines provided in CA185 to determine the observed speeds, with 85th percentile speeds calculated according including adjustments for weather conditions, including an addition of 4kph for dry weather conditions.

The proposal is required to obtain both planning permission and separate consent of the highway authority for the proposed vehicle crossover. This approval process should be completed following permission being granted. It is noted from other consultee responses that the access may already be in use without the necessary approvals, KCC Highways is currently investigating this.
Details of the approval process can be found in the following link:
https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb

Summary and Recommendation

KCC Highways wish to maintain a holding objection to the proposal on the basis that recommended additional information is provided by the applicant.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

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This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

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Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Yours faithfully

Director of Highways & Transportation

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Kent County Council
kent.gov.uk

Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 03000 418181
Date: 28 March 2025
Our Ref:

Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Application - TW/25/00511/FULL
Location - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown, Cranbrook, Kent,
Proposal - Construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:-

Introduction

The proposals seek approval for the construction of new stable building for accommodation of horses together with new highway access crossover & access driveway in connection.

Discussion

The applicant intends to create a new access point onto Church Road. Church Road is a 'C' road with an unrestricted speed limit in the vicinity of the proposed access point.
The applicant has submitted a Location and Block Plan (Drawing Reference: 24/21/001 A) detailing the access arrangement, confirming a width of 5m enabling two way traffic movements to be achieved. The annotation claims that visibility splays of 2.4 x 215m can be achieved. This is in line with guidance for a 60mph road. However, the plan does not demonstrate the splays. Drawings should evidence that visibility splays can be achieved within land controlled by the applicant or the highway authority and they can be maintained to ensure there are no obstructions over 0.6 metres above carriageway. This information can be obtained via the below link:
https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries

The personal injury collision (PIC) record has not been provided for the site access however having checked I am satisfied that there are no incidents in the last five years recorded at any of the adjacent accesses or junctions.

The annotated drawing also confirms use of a bound surface for the first 8 metres of the access from the edge of the highway. In addition, gates will be installed 8 metres from the highway edge. This element of the proposal is considered acceptable.

Summary and Recommendation

KCC Highways wish to maintain a holding objection to the proposal on the basis that recommended additional information is provided by the applicant.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

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Yours faithfully

Director of Highways & Transportation

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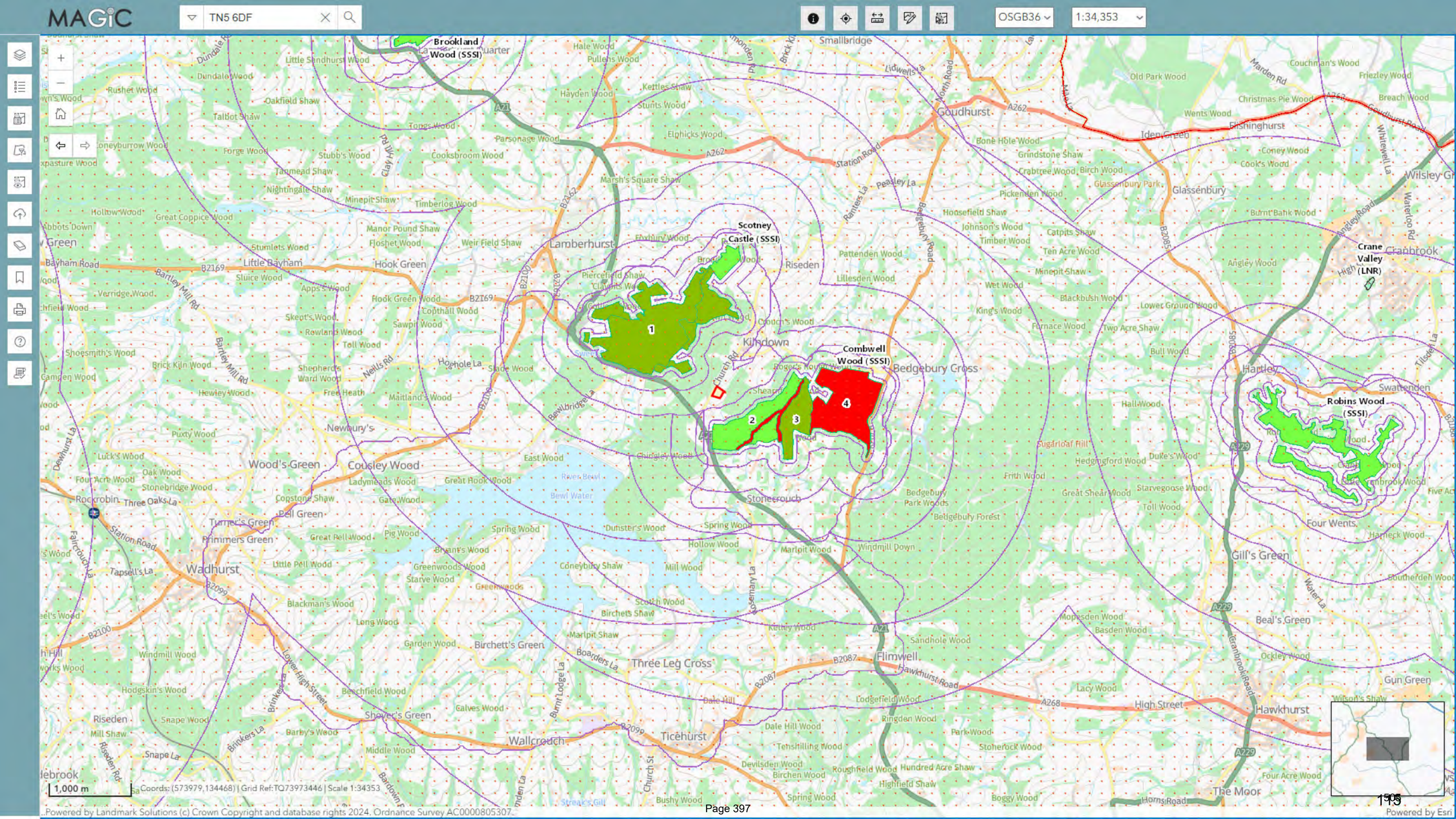
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Robins Wood (SSSI)
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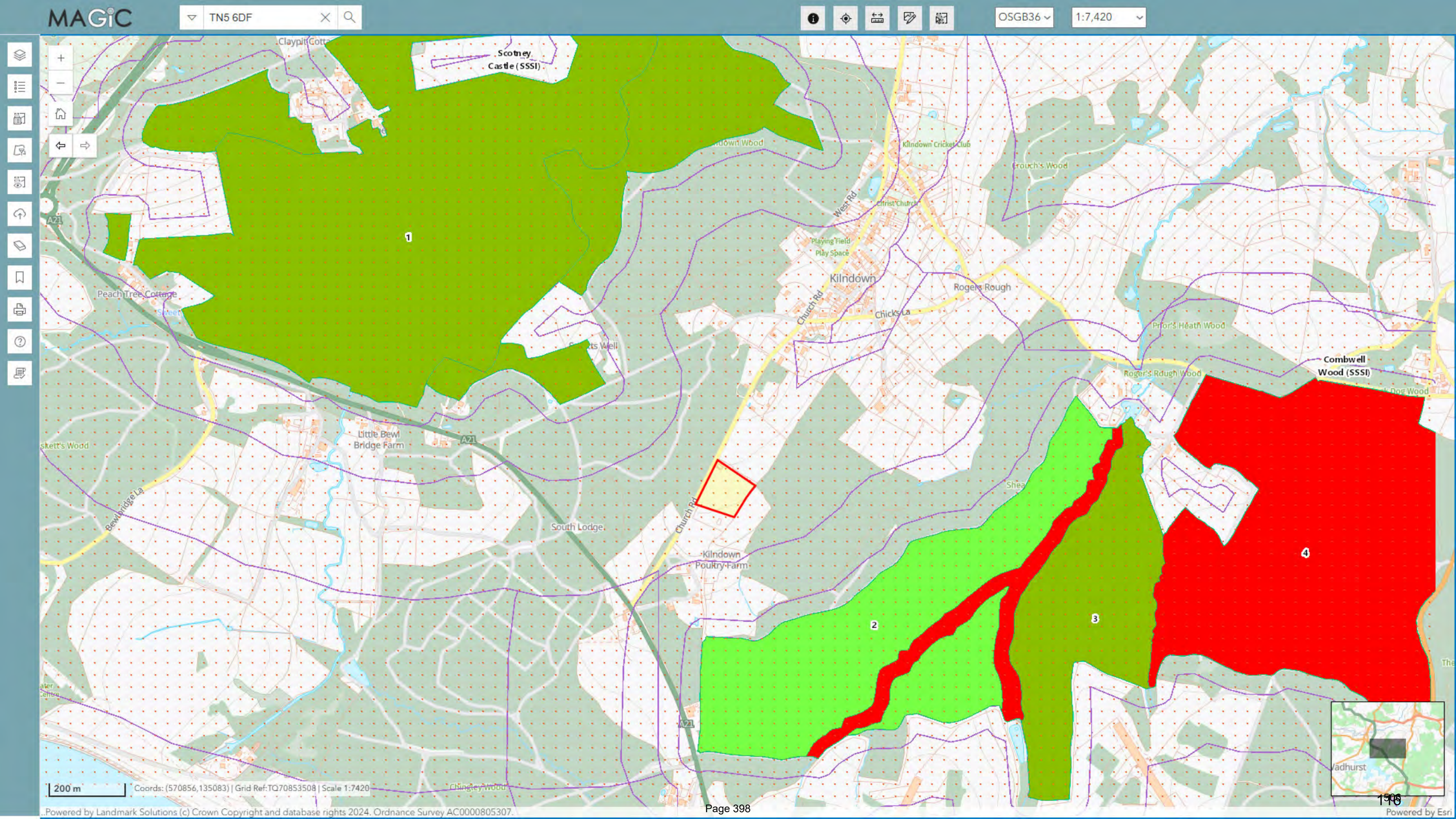
Wadhurst
Flimwell
Hawkhurst
Cranbrook
Three Leg Cross
Wallcrouch
Ticehurst
Glassenbury
Riseden
Hook Green
Cousley Wood
Wood's Green
Gill's Green
Beal's Green
Four Wents
Swattenden
Hartley
Smallbridge
Iden Green
Elphicks Wood
Parsonage Wood
Cooksbroom Wood
Marsh's Square Shaw
Stunts Wood
Kettles Shaw
Hayden Wood
Hale Wood
Pullens Wood
Little Sandhurst Wood
Dundale Wood
Rushet Wood
Oakfield Shaw
Talbot Shaw
Tongs Wood
Forge Wood
Stubb's Wood
Tanmead Shaw
Nightingale Shaw
Minepit Shaw
Timberlog Wood
Great Coppice Wood
Manor Pound Shaw
Floshet Wood
Weir Field Shaw
Stumlets Wood
Little Bayham
Sluice Wood
Apps's Wood
Hook Green Wood
Copthall Wood
Sawpit Wood
Skeet's Wood
Rowland Wood
Toll Wood
Shepherd's Ward Wood
Free Heath
Maitland's Wood
Newbury's
Puxty Wood
Hewley Wood
Brick Kiln Wood
Shoesmith's Wood
Camden Wood
Hoohole La
Slade Wood
Flyhury Wood
Pierceffield Shaw
Claments Wood
Riseden
Pattenden Wood
Lillesden Wood
Couch's Wood
Church Rd
Roger's Nowl Wood
Shearn
Chingley Wood
East Wood
River Bewl
Bewl Water
Stonecrouch
Dunster's Wood
Spring Wood
Hollow Wood
Marlpit Wood
Windmill Down
Mill Wood
Coneybury Shaw
Greenwoods Wood
Starve Wood
Greenwoods
Scotch Wood
Birchets Shaw
Marlpit Shaw
Garden Wood
Birchett's Green
Boarders La
Kelley Wood
Sandhole Wood
Dale Hill
Dale Hill Wood
Tenshilling Wood
Devilsden Wood
Birchen Wood
Roughfield Wood
Hundred Acre Shaw
Highfield Shaw
Spring Wood
Bushy Wood
Streaks Gill
Middle Wood
Barby's Wood
Shover's Green
Galves Wood
Beechfield Wood
Hodgskin's Wood
Snape Wood
Mill Shaw
Snape La
Windmill Wood
Long Wood
Blackman's Wood
Little Pell Wood
Great Pell Wood
Pig Wood
Pell Green
Primmers Green
Turner's Green
Copstone Shaw
Gate Wood
Ladymeads Wood
Great Hook Wood
Stonebridge Wood
Oak Wood
Four Acre Wood
Rockrobin
Three Oaks La
Tapsell's La
Faircrouch La
Station Road
Dewhurst La
Luck's Wood
Bartley Mill Rd
Bayham Road
Verridge Wood
Great Coppice Wood
Abbots Down
Hollow Wood
Bull Wood
Furnace Wood
King's Wood
Wet Wood
Minepit Shaw
Blackbush Wood
Lower Ground Wood
Two Acre Shaw
Ten Acre Wood
Catpits Shaw
Timber Wood
Johnson's Wood
Housefield Shaw
Pickenden Wood
Bone Hole Wood
Grindstone Shaw
Crabtree Wood
Birch Wood
Glassenbury Park
Coney Wood
Cook's Wood
Wents Wood
Old Park Wood
Christmas Pie Wood
Couchman's Wood
Friezley Wood
Breach Wood
Burnt Bank Wood
Angley Wood
Hall Wood
Sugarloaf Hill
Hedgingford Wood
Duke's Wood
Frith Wood
Great Shear Wood
Starvegoose Wood
Toll Wood
Bedgebury Park Woods
Bedgebury Forest
Mopesden Wood
Basden Wood
Ockley Wood
Lacy Wood
Lodgefield Wood
Ringden Wood
Park Wood
Stoherock Wood
Boggy Wood
Horns Road
Four Acre Wood
Hamneck Wood
Southerden Wood
Gun Green
Wilson's Shaw
The Moor
High Street
Hawkhurst Road
Cranbrook Road
Waterloo Rd
Whitewell La
Angley Road
Marden Rd
Goudhurst Road
Station Road
Peasley La
Ranters La
Bedgebury Road
North Road
Lidwells La
Brick Kiln
Rosemary La
Church St
Burnt Lodge La
Brinkers La
Lower High Street
Riseden Rd
Bardown
Clay Hill Rd
Tilsden La
Water La
A21
A262
A229
A268
B2087
B2099
B2100
B2169
B2162
B2085
B2086
B2170
B2101
1,000 m
Coords: (573979,134468) | Grid Ref:TQ73973446 | Scale 1:34353
Powered by Landmark Solutions (c) Crown Copyright and database rights 2024. Ordnance Survey AC0000805307.
Powered by Esri


MAGiC
TN5 6DF
OSGB36
1:7,420
Scotney Castle (SSSI)
Claypit Cott
Kilndown Wood
Kilndown Cricket Club
Crouch's Wood
West Rd
Christ Church
Playing Field
Play Space
Kilndown
Rogers Rough
Chicks La
Church Rd
Prior's Heath Wood
Roger's Rough Wood
Combwell Wood (SSSI)
Peach Tree Cottage
Little Bewl Bridge Farm
A21
Bewlbridge La
South Lodge
Kilndown Poultry Farm
Shea
Chingley Wood
1
2
3
4
200 m
Coords: (570856,135083) | Grid Ref:TQ70853508 | Scale 1:7420
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Powered by Esri

Site Check Report generated on Tue May 13 2025
The following features have been found in your search area:
You selected the location: Centroid Grid Ref: TQ69623444
SSSI Impact Risk Zones - for LPAs to determine likely impacts on terrestrial SSSIs and when to consult Natural England
Guidance
/Metadata_for_magic/SSSI IRZ User Guidance MAGIC.pdf
IRZURL
https://irz.geodata.org.uk/IRZ/step2.html?irzcode=0101254211121¬es=&location=568955,134320%20(IRZ%20polygon%20centre)
Areas of Outstanding Natural Beauty (England)
CODE
14
NAME
High Weald
DESIG_DATE
Oct-83
HOTLINK
https://highweald.org/
STAT_AREA
1461.72
Wild Bird General Licence Protected Sites Condition Zone (England)
No Features found
Biosphere Reserves (Scotland)
No Features found
Biosphere Reserves (Scotland) - points
No Features found
Biosphere Reserves (England)
No Features found
Biosphere Reserves (England) - points
No Features found
Potential Special Protection Areas (England)
No Features found
Potential Special Protection Areas (England) - points
No Features found
Special Protection Areas (England)
No Features found
Special Protection Areas (England) - points
No Features found
Possible Special Areas of Conservation (England)
No Features found
Possible Special Areas of Conservation (England) - points
No Features found
Special Areas of Conservation (England)
No Features found
Special Areas of Conservation (England) - points
No Features found
Sites of Special Scientific Interest (England)
No Features found
Sites of Special Scientific Interest (England) - points
No Features found
Sites of Special Scientific Interest Units (England)
No Features found
Sites of Special Scientific Interest Units (England) - points
No Features found
Proposed Ramsar Sites (England)
No Features found

Proposed Ramsar Sites (England) - points
No Features found
Ramsar Sites (England)
No Features found
Ramsar Sites (England) - points
No Features found
National Parks (England)
No Features found
National Nature Reserves (England)
No Features found
National Nature Reserves (England) - points
No Features found
Moorland Line (England)
No Features found
Local Nature Reserves (England)
No Features found
Local Nature Reserves (England) - points
No Features found
Limestone Pavement Orders (England)
No Features found

Impact Risk Zones for Sites of Special Scientific Interest

For local planning authorities to determine if a proposed development is likely to affect a terrestrial Site of Special Scientific Interest and when to consult Natural England.

Does the proposed development match any of the descriptions below?

- **Infrastructure:** Pipelines and underground cables, pylons and overhead cables (excluding upgrades and refurbishment of existing network). Any transport proposal including new or extended footways, cycleways, roads/car parks, railways and waterways (excluding routine maintenance). Airports, helipads and other aviation proposals.
- **Minerals, Oil and Gas:** Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction.
- **Rural Non-Residential:** Large non-residential developments outside of existing settlements/urban areas where the net additional gross internal floorspace is > 1,000m^2 or the footprint exceeds 0.2ha.
- **Residential:** Residential development of 100 units or more.
- **Rural Residential:** Any residential development of 50 or more units outside existing settlements/urban areas.
- **Air Pollution:** Any development that could cause AIR POLLUTION (including: industrial/commercial processes, livestock & poultry units, slurry lagoons/manure stores).
- **Combustion:** All general combustion processes. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/combustion.
- **Waste:** Mechanical and biological waste treatment, inert landfill, non-hazardous landfill, hazardous landfill, household civic amenity recycling facilities construction, demolition and excavation waste, other waste management.
- **Compost:** Any composting proposal. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.
- **Discharge:** Any discharge of water or liquid waste that is discharged to ground (ie to seep away) or to surface water, such as a beck or stream.
- **Water Supply:** Any development needing its own water supply eg remote rural housing that is not connected to a mains water supply, OR large infrastructure such as warehousing/industry where the total net additional gross internal floorspace following development is > 1,000m^2.

Does the proposed development match any of the descriptions?

Please answer the question by ticking the appropriate box below and then click Continue

- ○ Yes
- ◉ No
- ○ Don't know

Continue

If you have any questions or feedback, please contact Natural England's Impact Risk Zones Team: NEIRZS@naturalengland.org.uk

Natural England Enquiries line: 0300 060 3900

March to September: call operating times are 10:00am to 4pm Monday to Friday (excluding public holidays)
October to February: call operating times are 10:00am to 3pm Monday to Friday (excluding public holidays)
Find out about call charges at Call Charges - GOV.UK (www.gov.uk)

Accessibility Statement

Impact Risk Zones for Sites of Special Scientific Interest

For local planning authorities to determine if a proposed development is likely to affect a terrestrial Site of Special Scientific Interest and when to consult Natural England.

You do not need to consult Natural England on the proposed development at this location.

The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, the proposed development is unlikely to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and the Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Therefore, you do not need to consult Natural England on the likely impacts of development on terrestrial SSSIs and the SACs, SPAs or Ramsar sites that they underpin.

Discretionary Advice

Natural England may provide pre-application advice on other biodiversity or natural environment impacts or opportunities. Developers Get Environmental Advice - GOV.UK (www.gov.uk) provides information on Natural England's pre-application discretionary advice service (DAS).

Please Note

The SSSI IRZs seek to guide consultations relating to the likely impacts of development on terrestrial SSSIs under Schedule 4 (w) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and section 28I of The Wildlife and Countryside Act 1981. They do not alter or remove any other statutory requirements to consult Natural England. The gov.uk website provides more information on when you must consult Natural England when considering development proposals.

The SSSI IRZs only indicate Natural England's assessment of likely risk to the notified features of terrestrial SSSIs and those SACs, SPAs or Ramsar sites that they underpin. There are other sites designated for nature conservation in the coastal and marine environment that are not underpinned by terrestrial SSSIs. This includes SPAs, SACs, Ramsar sites and Marine Conservation Zones (MCZs). You should consult Natural England on any coastal or marine proposal that might impact those sites.

Where the SSSI IRZs indicate a risk is unlikely, this does not mean that there are no potential impacts on biodiversity or the wider natural environment and there may be a requirement to consult Natural England as a statutory consultee on other matters.

Local Planning Authorities Get Environmental Advice - GOV.UK (www.gov.uk) provides more information on when you must consult Natural England when considering development proposals including Nationally Significant Infrastructure Projects - GOV.UK (www.gov.uk) (NSIPs).

FOR LOCAL PLANNING AUTHORITY USE ONLY

If you require a formal Natural England letter setting out this advice, please enter the planning application reference in the box and click Generate Formal Advice Letter.

Generate Formal Advice Letter

Natural England will keep a record of the location, date and planning application reference when a formal letter is generated.

If you have any questions or feedback, please contact Natural England's Impact Risk Zones Team: NEIRZS@naturalengland.org.uk

Natural England Enquiries line: 0300 060 3900

March to September: call operating times are 10:00am to 4pm Monday to Friday (excluding public holidays)
October to February: call operating times are 10:00am to 3pm Monday to Friday (excluding public holidays)
Find out about call charges at Call Charges - GOV.UK (www.gov.uk)

Accessibility Statement

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter no. KB-2025-001739

KING'S BENCH DIVISION

IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN (being those, whether the extended family of the First to Fourth Defendants or otherwise, with an interest in or intending to undertake works or intending to occupy land known as "Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent" registered at HM Land Registry under Title Number TT171000, TT171757)
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

Defendants

EXHIBIT IV4

For official use only (date received): 01/06/2025 09:12:38

The Planning Inspectorate

ENFORCEMENT NOTICE APPEAL FORM (Online Version)

WARNING: The appeal must be received by the Inspectorate before the effective date of the local planning authority's enforcement notice.

Appeal Reference: APP/M2270/C/25/3366815

A. APPELLANT DETAILS

Name	Mr Keith Jeeves
Address	The Barnfield Church Road Kilndown TN5 7PX

Preferred contact method Email ☑ Post ☐

A(i). ADDITIONAL APPELLANTS

Do you want to use this form to submit appeals by more than one person (e.g. Mr and Mrs Smith), with the same address, against the same Enforcement notice? Yes ☑ No ☐

Additional Appellant: Ms B harbour
Appeal Reference: APP/M2270/C/25/3366816

Additional Appellant: Mr J Bigmore
Appeal Reference: APP/M2270/C/25/3366817

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☑ No ☐

Name	Mr Stuart Carruthers
Company/Group Name	n/a
Address	32 Northgate BECCLES NR34 9AS
Phone number	01502 719 731
Email	stuarthcarruthers@gmail.com
Your reference	Barnfield

Preferred contact method Email ☑ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Tunbridge Wells Borough Council
Date of issue of enforcement notice	16/05/2025
Effective date of enforcement notice	20/06/2025

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes ☑ No ☐

Address

The Barnfield
Church Road
Kilndown
TN5 7PX

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes ☐ No ☑

What is your/the appellant's interest in the land/building?

Owner ☑

Tenant ☐

Mortgagee ☐

None of the above ☐

E. GROUNDS AND FACTS

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes ☑ No ☐

(a) That planning permission should be granted for what is alleged in the notice. ☑

The facts are set out in

☑ the box below

The enforcement notice was issued prior to its occupation as a residential caravan site.

The enforcement notice is appealed on the grounds available at the time of the decision. This includes appeal of decision 25/00511/FULL

Change of use of land to equestrian, construction of stable building for horses together with highway access crossover & access driveway made on 01 May 2025. A planning application for use of the land as a residential caravan site has been made.

(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact. ☑

The facts are set out in

☑ the box below

The notice identifies that use of the land shown at the approximate location 'A' on the attached plan should cease. Point 'A' is equidistant between two access points both of which have similar characteristics to that identified in the notice. The access point to the north of point 'A' is identified as being unsafe. The access point to the south has been identified as being possible to make safe. It is

unclear from the notice which access point is subject to the notice.

(c) That there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development"). ☑

The facts are set out in

☑ the box below

The reason for removing fences and fencing material is unclear as is the reason for removing hardcore. This is permitted development.

(d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice. ☐

(e) The notice was not properly served on everyone with an interest in the land. ☑

The facts are set out in

☑ the box below

The notice due to its ambiguity should also have been served on the property to the north and included its owners.

(f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections. ☑

The facts are set out in

☑ the box below

The notice was issued before the lands occupation as a residential caravan site. There are a large number of issues. These will be amplified in subsequent appeal documents.

(g) The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why. ☑

The facts are set out in

☑ the box below

The requirements are unreasonable as they seek to cause exclusion from the land.

F. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐

2. Hearing ☑

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

☑ the box below

Gypsy / Traveller application

Is there any further information relevant to the hearing which you need to tell us about? Yes ☑ No ☐

The land is currently subject to injunctions, stop notices and enforcement notices and subject to a current planning application for change of use to a residential caravan site.

3. Inquiry ☐

G. FEE FOR THE DEEMED PLANNING APPLICATION

1. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice? Yes ☑ No ☐

a) the date of the relevant application: 28/02/2025

b) the date of the LPA's decision (if any): 01/05/2025

2. Are there any planning reasons why a fee should not be paid for this appeal? Yes ☑ No ☐

☑ the box below

Planning appeal being made

H. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☑

I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

☑ see 'Appeal Documents' section

J. CHECK SIGN AND DATE

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledege.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature	Mr Stuart Carruthers
Date	01/06/2025 09:14:30
Name	Mr Stuart Carruthers
On behalf of	Mr Keith Jeeves

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our privacy notice.

K. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) to the LPA.

To do this by email:

- open and save a copy of your appeal form

- locating your local planning authority's email address:

  https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council

- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the enforcement notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to appeals@planninginspectorate.gov.uk . If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. The Enforcement Notice.
File name:	Enf Notice.pdf

Completed by	MR STUART CARRUTHERS
Date	01/06/2025 09:14:30

Tunbridge Wells Borough Council

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Keith Jeeves
Land between Kilndown Poultry Farm and
Evanden Farm
Church Road
Kilndown
Cranbrook
Kent

Date: 16th May 2025
My Ref: T020331

Dear Sir or Madam

Town and Country Planning Act 1990
(as amended by the Planning and Compensation Act 1991)
Land: Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Cranbrook, Kent

The Council has issued an Enforcement Notice relating to the above Land and I now serve on you a copy of that Notice in view of your interest in the Land. Copies of the Notice are also being served on others who, it is understood, have interests in the Land.

Unless an appeal against the enforcement notice is made to the Secretary of State, as described on the enclosed information sheet which you should read carefully, the Notice will take effect on **20th June 2025** and you must then ensure that the required steps for which you may be held responsible are taken within the period specified in the Notice.

If you intend to appeal, please note that your appeal must be received by the Planning Inspectorate before the date the Notice takes effect, that is before **20th June 2025**

Yours Sincerely
Patricia Finch (Legal Assistant Planning)
Mid Kent Legal Services
E-mail:patricia.finch@midkent.gov.uk
Direct Dial: 01622 602341

For and on behalf of
Claudette Valmond
Head of Mid Kent Legal Partnership

Town Hall Royal Tunbridge Wells Kent TN1 1RS
switchboard 01892 526121 SMS (text) 07870 526121
DX 3929 Tunbridge Wells website www.tunbridgewells.gov.uk

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

ISSUED BY: TUNBRIDGE WELLS BOROUGH COUNCIL ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act at the Land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the Development Plan and to other material planning considerations. The Annex at the end of this Notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land")

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission the creation of an access, the removal of hedgerow and laying of hardcore.

4. **REASONS FOR ISSUING THIS NOTICE**

(i) It appears to the Council that the breach of control referred to above has occurred within the last four years (Section 171B(1))

(ii) The development causes significant harm to the rural character of the area and has more than a minimal impact on the landscape character of the locality. It causes significant harm to the character and appearance of the countryside, the setting of the rural lane and fails to conserve and enhance the landscape and scenic beauty of the High Weald National Landscape. As such the proposal would be contrary to Paragraphs 187 and 189 of the National Planning Policy Framework 2024 (amended 2025), Policies LBD1, EN1, EN25, and T4 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 3, 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010,Tunbridge Wells Borough Submission Local Plan 2021 Policies STR1 STR8, EN1, EN12, EN13, EN18, EN19 and EN20, and Policies L1, L4, L6, L7 and T3 of the Goudhurst Neighbourhood Development Plan. The proposal also conflicts with the objectives of the High Weald Area of Outstanding Natural Beauty Management Plan and Rural Lanes SPD.

(iii) There is insufficient evidence before the Local Planning Authority for it to be satisfied that the development does not have a detrimental impact upon the biodiversity of the site, including protected species and those of nearby Sites of Special Scientific Interest which is part of an area of Ancient Woodland. No ecological survey/s or biodiversity net gain calculations have been submitted in relation to the development and therefore it is not possible for the Local Planning Authority to assess the ecological impact of development and whether it would result in harm to a species, habitats or achieve biodiversity net gain. As such, the development is contrary to Paragraphs 192 and 193 of the National Planning Policy Framework 2024 (amended 2025), Policy EN1 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010, Policies ENV1, EN9, EN12, EN13, EN18 & EN19 of the Tunbridge Wells Borough Submission Local Plan 2021 and Policies L1, L4, L6 and L7 of the Goudhurst Neighbourhood Development Plan.

(iv) There is insufficient evidence before the Local Planning Authority for it be satisfied that the development does not pose a risk to highway safety as it is not clear if the necessary visibility splays can be achieved contrary to Policy T4 of the Tunbridge Wells Borough Local Plan 2006, Policy TR2 of the Tunbridge Wells Submission Local Plan 2021,Policy T3 of the Goudhurst Neighbourhood Development Plan and paragraphs 115 and 116 of the National Planning Policy Framework 2024 (amended 2025)

5. WHAT YOU ARE REQUIRED TO DO

(i) Permanently cease use of the access point shown in its approximate location marked 'A' on the attached plan for vehicular traffic.

(ii) Permanently remove all hardcore, wooden posts and wire fencing from the access point shown in its approximate location marked 'A' on the attached plan.

(iii) Permanently close the access shown in its approximate location and reinstate the hedge by planting 3-year-old transplanted seedling of 30cm of Hazel (10%), Hawthorn (70%), Field Maple (10%), Hornbeam (5%) and Dog Rose (5%)in a double staggered, rows at 600mm centres. The individual plants should be supported using a cane and protected with a spiral guard, with the whole of the new hedge being protected by stock fencing to aid establishment and the hedge shall be retained as such. This must be done during the next planting season. Within three years from the date of planting, and in the event of the any plants failing, the plants will require replacement until successfully established in accordance with BS 8545:2014.

6. TIME FOR COMPLIANCE

For requirement (i) above one (1) month.

For requirement (ii) above three (3) months.

For requirement (iii) above the next planting season will be end of October 2025 to start of January 2026.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 20 June 2025 unless an appeal is made against it beforehand.

ISSUED: 16 May 2025

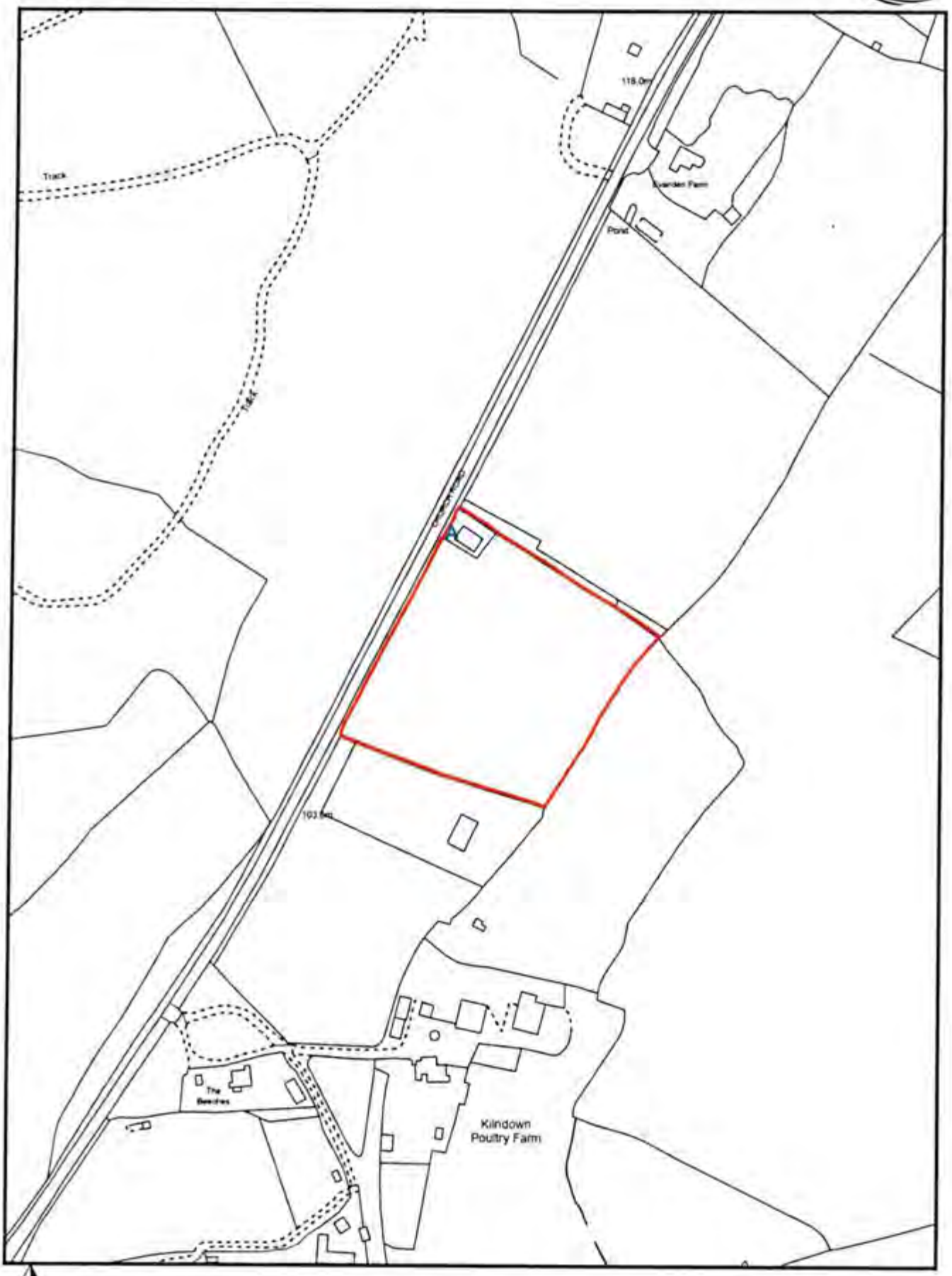
SIGNED:

Claudette Valmond
Head of Mid Kent Legal Partnership
On behalf of Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent
TN1 1RS

Ref: JS/T020331

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN

Tunbridge Wells Borough Council



Scale 1:2,500

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Map Dated: May 2025

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the Notice. The enclosed information sheet explains how you can make an appeal.

FEE PAYABLE FOR THE DEEMED APPLICATION

If you make an appeal against this Notice under ground (a) 'that planning permission should be granted' the deemed application fee is £596 (being twice the amount of the usual fee payable in respect of an application for planning permission).

The fee for a Ground (a) Appeal can be paid by an on-line payment via this link

www.tunbridgewells.gov.uk/planning/applications/pay ensuring that you state that it is for an appeal fee and quote the appeal reference and address of the site.

Please see the enclosed notes for guidance from the Planning Inspectorate.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required step(s) for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

The Planning Inspectorate

CST Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (https://acp.planninginspectorate.gov.uk/); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

Enforcement Notice

Land at Kilndown Poultry Farm and Evanden Farm
Church Road
Kilndown
Cranbrook
TN17 2RT

List of Persons Served

Name	Address 1	Address 2
Keith Jeeves	22 Hibbs Close Swanley Kent BR8 7FA	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT
The Owner	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	
The Occupier	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	
Any other person with an interest in	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compulsory Purchase Act 2004)

TEMPORARY STOP NOTICE

SERVED BY: **Tunbridge Wells Borough Council, herein after referred to as "the Council".**

To:

(1) Keith Jeeves of 22 Hibbs Close, Swanley BR8 7FA and land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

(2) Jonny Bigmore of land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

(3) Bonny Harbour of land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

(4) Any other person carrying out activity as described in paragraph 5 below on land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

1. The Council considers that there has been a breach of planning control on the land described in paragraph 3 below. The breach of planning control is the material change of use of the land from agricultural land, to land used for the stationing of caravans intended for residential occupation.

2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

*3. **THE REASONS FOR ISSUING THIS NOTICE***

The area of land the subject of this Temporary Stop Notice is within the High Weald National Landscape (HWNL) area which is the subject of national protection.

The unlawful development is in the form of stationing of caravans and associated works for the purposes of residential occupation.

The reasons for issuing this notice are:

- The unauthorised development causes significant harm to the rural character of the area and has more than a minimal impact on the landscape character of the locality. It causes significant harm to the character and appearance of the countryside, the

setting of the rural lane and fails to conserve and enhance the landscape and scenic beauty of the High Weald National Landscape.

- The unauthorised development poses a risk to highway safety as the necessary visibility splays are not in place.

This notice is served having regard to The Town and Country Planning (Temporary Stop Notice) (England) (Revocation) Regulations 2013.

4. THE LAND TO WHICH THIS NOTICE RELATES

Land to lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT shown edged in red on the attached plan.

5. ACTIVITY TO WHICH THIS NOTICE RELATES

Any activity relating to the bringing on and/or the stationing of any caravans, including static caravans, touring caravans, mobile homes and/or any residential occupation.

6. WHAT YOU ARE REQUIRED TO DO

Cease all the activity specified in part (5) of this notice.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **30th May 2025** when all the activity specified in paragraph 5 of this notice must cease. This notice will cease to have effect on 25th July 2025.

Dated: 30th May 2025

Signed:

Carlos Hone
Head of Planning Services
On behalf of Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent
TN1 1RS

Nominated Officer: Carlos Hone

Telephone Number: 01892 554458

ANNEX

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a Temporary Stop Notice after a Site Notice has been displayed or the Temporary Stop Notice has been served on you (section 171G(1) of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution**, for which the maximum penalty on conviction is **an unlimited fine.**

If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Carlos Hone (Head of Planning) Town Hall, Tunbridge Wells, Kent TN1 1RS 01892 554458. If you need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review.

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN

Tunbridge Wells Borough Council

Kilndown Poultry Farm

Scale 1:2,750

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Map Dated: May 2025

Statement on behalf of the
Claimant
Witness: Heather Stevens
2nd Statement
Dated: 04.06.2025
Exhibits: HS/7-HS/10

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812 / KB-2025-001739**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

SECOND WITNESS STATEMENT OF HEATHER STEVENS

I, Heather Stevens, Team Leader (Contentious) for Mid Kent Legal Services, will say as follows:

1. I make this statement in support of the Claimant's claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990. I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. Pursuant to the injunction order granted by Mr Justice Dexter Dias on 23 May 2025, on 27 May 2025, I sent an email to Friends, Families and Travellers. I asked if they were aware of

any issues that the potential occupiers of the land between Kilndown Poultry Farm and Evanden Farm may have and explained that there would be a Court hearing on 6 June.

3. On 29 May 2025, Angela Barnett, the Advice Manager at Friends, Families and Travellers called me. She gave no suggestion that the organisation was aware of the development at Kilndown or any of the occupiers, but did also say that she could not comment on individual cases. We agreed that she would send me an email with some general comments that may assist the Court. I exhibit the emails to and from Ms Barnett as HS/7.

4. On 29 May 2025, I sent an email to the Gypsy and Traveller service at Kent County Council ("KCC"). I asked if there were any known issues relating to the potential occupiers of the land at Kilndown.

5. On 30 May 2025, I received a query from Natalie Liddiard, Head of GRT Resident Service at KCC, asking me to clarify my request for information. I responded with details of the named Defendants (as they were at that time, namely Defendants 1-5). Ms Liddiard replied confirming that they were not familiar with the site and had not had dealings with it. She confirmed those Defendants were not known to the GRT Resident Service.

6. On 2 June 2025, I sent a further email to Ms Liddiard with details of the Defendants (namely Defendants 7-10). Ms Liddiard responded asking me to clarify the spelling of Bonny Harbour and asking if we had a date of birth for her. I exhibit the emails to and from the KCC Gypsy and Traveller Unit and Ms Liddiard as HS/8.

7. On 3 June 2025, while seeking instructions on the queries from KCC, I received a voicemail from Ms Liddiard saying that they may have some relevant information. We spoke that day and Ms Liddiard confirmed that Bonny Harbour was very likely to be the person known to them as Bonny "Harber". I was told Bonny had been residing on the KCC site at Windmill Lane in West Malling. KCC also knew of Bonny's partner, Jonny Bigmore, although they knew him as Jonny "Bignall". I was told that they lived at Windmill Lane with their two children, although Jonny was not officially registered at Windmill Lane.

8. Ms Liddiard said that last Thursday, 29 May 2025, the team got a call from another resident saying that Ms Harbour was leaving the Windmill Lane site. She was spoken to and informed the team that she was moving to her uncle's farm land. Ms Liddiard said that Ms Harbour had spoken about the land at Kilndown before last week, so they were aware of it.

9. I asked Ms Liddiard about the Windmill Lane site and she explained that hardstanding and a utility block was provided but that the static home belonged to Ms Harbour. Ms Liddiard was not sure whether the static home had been removed, but thought it had been.

10. Ms Liddiard confirmed that they had not heard from Ms Harbour or her partner since last week, but that they were due to meet with her tomorrow, 4 June 2025, for her to give her plot back and sign it over. Ms Liddiard confirmed that Ms Harbour was a good resident who had not caused trouble and therefore if she wanted her plot back, she would be able to move back on, even though somebody else had shown a very keen interest in taking it over.

11. I subsequently received an email from Ms Liddiard introducing me to other members of her team and setting out some of the questions that I had asked that she thought would be best answered by others.

12. On 4 June 2025, I received an email from Lisa Hall, the Community Liaison Officer for KCC's GRT Resident Service, detailing some of the conversations that she has had with Ms Harbour. Ms Hall confirmed that if Ms Harbour wanted to stay at Mill Lane, she would be able to do so, as there is a 28-day notice period before KCC allocate the plot to another person.

13. Ms Hall was due to meet Ms Harbour later that day, but I received a further email explaining that the meeting had not taken place. I exhibit the further emails with Ms Liddiard and Ms Hall as HS/9.

14. On the same day, I asked the Council's Digital Services Team Manager to update the Council's website to show further documents relating to the Council's claim, the evidence in the case and the Injunction Orders that have been granted by the Court. The relevant web page can be found here: https://tunbridgewells.gov.uk/planning/enforcement/_recache

15. To assist the Court and the parties, I then prepared a chronology of this case, detailing the involvement of the various Defendants. I exhibit the chronology as HS/10.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *Heather Stevens*

Dated: 4 June 2025

Statement on behalf of the
Claimant
Witness: Heather Stevens
2nd Statement
Dated: 04.06.2025
Exhibits: HS/7 - HS/10

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812 / KB-2025-001739**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

EXHIBITS OF HEATHER STEVENS

HS/7

Heather Stevens

From: Angela Barnett <angela@gypsy-traveller.org>
Sent: 29 May 2025 14:38
To: Heather Stevens
Subject: FW: Land at Kilndown

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Heather,

The following report focuses on the provision of transit site provision nationally:
FFT_TransitProvisionFOIReportNov2024_FINAL-1.pdf

The following briefing focuses on the national overview of both permanent and transit site provision.
Briefing_Accommodation-issues-facing-Gypsies-and-Travellers-in-England-2.pdf

You might also find useful the Tunbridge Wells GTANA (Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment). This shows identified need for future pitch provision in the area:
Tunbridge Wells GTAA Final Report June 2024 (v2)

Kent County Council manage several local authority sites in the area, a list of which can be found here. This includes details of other sites managed by Borough and District Councils:
Find a Gypsy and Traveller site - Kent County Council

There is no transit site provision that we are aware of in the county of Kent. I am aware that Kent County Council hold a waiting list for those seeking a plot on the sites that they manage, but that there are rarely any vacancies, so the only alternatives are to purchase land to live on, or to live on the roadside.

I hope this information helps.

Kind regards,

Angela Barnett
Advice Manager | Friends, Families and Travellers
Phone 01273 234777
I work Monday to Thursday

gypsy-traveller.org

FRIENDS, FAMILIES & TRAVELLERS

SUPPORT US

We seek to end racism and discrimination against Gypsies, Travellers and Roma, regardless of ethnicity, nationality, culture or background, whether settled or mobile, and to protect the right to pursue a nomadic way of life. Registered charity: 1112326

From: Heather Stevens <Heather.Stevens@MidKent.gov.uk>
Sent: 27 May 2025 12:52
To: fft <fft@gypsy-traveller.org>
Subject: Land at Kilndown

SCIP
Warning: Sender @Heather.Stevens@MidKent.gov.uk has never sent any emails to your organization.
Please be careful before replying.
Report Phishing Block as Spam Safe Sender
powered by Graphus®

Good Afternoon,

I am instructed by Tunbridge Wells Borough Council in relation to developments on land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent.

The Council has obtained an interim injunction on the land and the High Court has ordered that we contact Friends, Families and Travellers to ascertain if there are any known issues relating to the potential occupiers of the land.

The next court hearing will take place on Friday 6 June and I would therefore be most grateful if you could respond to this request by 4pm on Monday 2 June 2025.

Please let me know if you require any further information.

With thanks.

Kind regards,

Heather Stevens

Team Leader (Contentious)

Mid Kent Legal Services, Maidstone, Swale and Tunbridge Wells Borough Councils

t 01622 602126

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T020874/01694150

Statement on behalf of the
Claimant
Witness: Heather Stevens
2nd Statement
Dated: 04.06.2025
Exhibits: HS/7 - HS/10

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812 / KB-2025-001739**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

EXHIBITS OF HEATHER STEVENS

HS/8

Heather Stevens

From: Gypsy.Traveller@kent.gov.uk
Sent: 02 June 2025 16:52
To: Heather Stevens; Natalie.Liddiard@kent.gov.uk
Subject: Re: Land at Kilndown

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Heather,

Is that the right spelling of Bonny Harbour? Also, do you have a date of birth for her?

Thanks
Natalie

Sent from Outlook for iOS

From: Heather Stevens <Heather.Stevens@MidKent.gov.uk>
Sent: Monday, June 2, 2025 4:40:21 PM
To: Natalie Liddiard - GT GC <Natalie.Liddiard@kent.gov.uk>; Gypsy & Traveller Unit - GT <Gypsy.Traveller@kent.gov.uk>
Subject: RE: Land at Kilndown

You don't often get email from heather.stevens@midkent.gov.uk. Learn why this is important

Hi Natalie,

Some additional Defendants are now involved with this case: Keith Jeeves, Curtis Love, Bonny Harbour and Jonny Bigmore.

Please could you confirm if any of them are known to your service and, if so, any issues they may have that may be relevant to the Council's application for an Injunction.

Many thanks.

Kind regards,

Heather Stevens
Team Leader (Contentious)
Mid Kent Legal Services, Maidstone, Swale and Tunbridge Wells Borough Councils
t 01622 602126

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T020874/01697694

From: Natalie.Liddiard@kent.gov.uk <Natalie.Liddiard@kent.gov.uk>
Sent: Friday, May 30, 2025 11:58 AM
To: Heather Stevens <Heather.Stevens@MidKent.gov.uk>; Gypsy Traveller <gypsy.traveller@kent.gov.uk>
Subject: Re: Land at Kilndown

> **CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Heather,

This is not a site that we are familiar with or have ever had any dealings with.

The defendants are not known to us in the GRT Resident Service.

Thanks
Natalie

Natalie Liddiard | Head of GRT Resident Service | Strategic Development and Place | Growth, Environment and Transport | Kent County Council | Invicta House, Maidstone, ME14 1XX | Tel: 03000 413 407 | Main Office: 03000 421567 | www.kent.gov.uk |

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From: Heather Stevens <Heather.Stevens@MidKent.gov.uk>
Sent: Friday, May 30, 2025 10:08
To: Gypsy & Traveller Unit - GT <Gypsy.Traveller@kent.gov.uk>
Subject: RE: Land at Kilndown

> You don't often get email from heather.stevens@midkent.gov.uk. Learn why this is important

Dear Natalie,

Thank you for your email.

To clarify, please could you confirm if you are aware of the site at Kilndown (on land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent) and whether you are aware of any of the occupiers of the land and any issues they may have.

In case it assists, the Defendants to the case are: (1) Bill Lee (2) Bill Leonard Lee (3) Wesy Bill Wally Lee (4) Roy Christopher Draper (5) Albie John Wilkins (6) Persons Unknown.

Kind regards,

Heather Stevens

Team Leader (Contentious)

Mid Kent Legal Services, Maidstone, Swale and Tunbridge Wells Borough Councils

t 01622 602126

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T020874/01695708

From: Gypsy.Traveller@kent.gov.uk <Gypsy.Traveller@kent.gov.uk>
Sent: Friday, May 30, 2025 7:26 AM
To: Heather Stevens <Heather.Stevens@MidKent.gov.uk>
Subject: Re: Land at Kilndown

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

Thanks for your email.

Please can you clarify what the request from us is?

Thanks

Natalie

Natalie Liddiard | Head of GRT Resident Service | Strategic Development and Place | Growth, Environment and Transport | Kent County Council | Invicta House, Maidstone, ME14 1XX | Tel: 03000 413 407 | Main Office: 03000 421567 | www.kent.gov.uk |

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From: Heather Stevens <Heather.Stevens@MidKent.gov.uk>
Sent: Thursday, May 29, 2025 17:22
To: Gypsy & Traveller Unit - GT <Gypsy.Traveller@kent.gov.uk>
Subject: Land at Kilndown

> You don't often get email from heather.stevens@midkent.gov.uk. Learn why this is important

Good Afternoon,

I am instructed by Tunbridge Wells Borough Council in relation to developments on land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent.

The Council has obtained an interim injunction on the land and the High Court has asked the Council to ascertain if there are any known issues relating to the potential occupiers of the land.

The next court hearing will take place on Friday 6 June and I would therefore be most grateful if you could respond to this request by 4pm on Monday 2 June 2025.

Please let me know if you require any further information.

Kind regards,

Heather Stevens

Team Leader (Contentious)

Mid Kent Legal Services, Maidstone, Swale and Tunbridge Wells Borough Councils

t 01622 602126

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T020874/01695512

Statement on behalf of the
Claimant
Witness: Heather Stevens
2nd Statement
Dated: 04.06.2025
Exhibits: HS/7 - HS/10

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812 / KB-2025-001739**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

EXHIBITS OF HEATHER STEVENS

HS/9

Heather Stevens

From: Lisa.Hall5@kent.gov.uk
Sent: 04 June 2025 14:23
To: Heather Stevens; Natalie.Liddiard@kent.gov.uk; Rebecca.Street@kent.gov.uk
Subject: Re: Information to Support Legal Actions

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Heather,

We had planned for Bonny to meet us at 10 am this morning to apply the sitex to the utility block for security purposes. However, when we arrived on site, we found that the key for the utility block had already been left with a neighbour, and Bonny had left the site.

Unfortunately, this means I was unable to discuss the land she has moved to, the court date, or obtain permission to share her contact telephone number or email address. I did email Bonny about a few items remaining on the plot and some damages to the KCC gates. I wanted to make her aware that she is liable for these damages. In her response, she mentioned that she will not be dealing with some of the items and that the rush to leave the site was due to a fallout with some of the remaining residents.

Please let me know if you need any further information.

Best regards,
Lisa

Lisa Hall | Community Liaison Officer | GRT Resident Service | Growth and Communities | Kent County Council | Invicta House, Maidstone, ME14 1XX | Internal: 417848 | External: 03000 417848 | GRT Main Office: 03000 421567 | www.kent.gov.uk |

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Kind regards

Lisa Hall | Community Liaison Officer| GRT Resident Service | Growth and Communities | Kent County Council | Invicta House, Maidstone, ME14 1XX | 03000 417848

From: Heather Stevens <Heather.Stevens@MidKent.gov.uk>
Sent: Wednesday, June 4, 2025 9:11:14 AM
To: Lisa Hall - GT GC <Lisa.Hall5@kent.gov.uk>; Natalie Liddiard - GT GC <Natalie.Liddiard@kent.gov.uk>; Rebecca Street - GT GC <Rebecca.Street@kent.gov.uk>
Subject: RE: Information to Support Legal Actions

Hi Lisa,

Thank you for your email and the information you have provided.

May I ask, do you have a time arranged to meet with Bonny today?

It would help to know for the preparation of our evidence.

Kind regards,

Heather Stevens
Team Leader (Contentious)
Mid Kent Legal Services, Maidstone, Swale and Tunbridge Wells Borough Councils
t 01622 602126

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T020874/01698574

From: Lisa.Hall5@kent.gov.uk <Lisa.Hall5@kent.gov.uk>
Sent: Wednesday, June 4, 2025 8:21 AM
To: Natalie.Liddiard@kent.gov.uk; Heather Stevens <Heather.Stevens@MidKent.gov.uk>; Rebecca.Street@kent.gov.uk
Subject: Re: Information to Support Legal Actions

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Heather,

It's wonderful to meet you virtually. As requested, I'm providing a statement regarding my conversations with Bonny Harber over the past few years.

Bonny expressed her desire to leave the site, mentioning her uncle had land where she intended to live eventually. This was brought up a few times over the last 4-5 years, but she hasn't mentioned anything similar in the past year.

Recently, other residents informed us that Bonny was planning to move out over the weekend of 1st June. I reached out to Bonny via email to confirm, and she responded that she was giving her 28 days notice to leave the site and planned to move out over that weekend.

I can confirm that Bonny's trailer has been moved off Windmill Lane. We are visiting Windmill caravan site today to complete the handover of the plot with Bonny, during which I will have further conversations with her and ask the additional questions you have requested.

Regarding her family, I can confirm that one of her children is named Johnny Bignall. However, I do not have the name of her partner, but I assume it might be Johnny Bignall as well, as it's common for the eldest child to be named after their father. Unfortunately, we do not have the name of their youngest child on file.

If Bonny advised us that she wouldn't be moving, she would be allowed to stay, as they have a 28 days' notice period before we can allocate the plot to someone else. Bonny has not provided a postal address for where she will be living after leaving Windmill Lane, only that she will be moving to her uncle's land on the border of East Sussex.

I will inform Bonny about the hearing scheduled for Friday, 6th June at 10:30 in London and advise her to seek legal advice and attend court. I will attempt to respond to any further queries after meeting with Bonny today.

Kind Regards

Lisa

Lisa Hall | Community Liaison Officer| GRT Resident Service |Growth and Communities|Kent County Council |Invicta House, Maidstone, ME14 1XX | Internal: 417848 | External: 03000 417848 | GRT Main Office: 03000 421567| www.kent.gov.uk |

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From: Natalie Liddiard - GT GC <Natalie.Liddiard@kent.gov.uk>
Sent: 03 June 2025 16:27
To: Heather Stevens <heather.stevens@midkent.gov.uk>; Lisa Hall - GT GC <Lisa.Hall5@kent.gov.uk>; Rebecca Street - GT GC <Rebecca.Street@kent.gov.uk>
Subject: Information to Support Legal Actions

Hi Lisa and Heather,

As promised, here is the virtual introduction. Heather and I have been speaking about the land at Kilndown and that Bonny Harber from WM has moved there.

@Lisa Hall - GT GC & @Rebecca Street - GT GC Please can you both share your contact details with Heather? For info, Heather's telephone number is 01622 602126.

@Lisa Hall - GT GC Heather has a further legal hearing on Friday this week. Please can you provide an email for her (which can be exhibited in court if necessary and possibly submitted as a statement at a later date) which:

- outlines your previous conversations with Bonny about the land including estimated dates,
- her plans to move,
- Names of her, partner and children
- Confirm if the trailer has been moved off WM
- Confirm that if Bonny advised tomorrow she wouldn't be moving, that we would allow her to stay.

If there is anything further needed, Heather - please just let us know.

Thanks
Natalie

Natalie Liddiard | Head of GRT Resident Service | Strategic Development and Place | Growth, Environment and Transport | Kent County Council | Invicta House, Maidstone, ME14 1XX | Tel: 03000 413 407 | Main Office: 03000 421567 | www.kent.gov.uk |

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Statement on behalf of the
Claimant
Witness: Heather Stevens
2nd Statement
Dated: 04.06.2025
Exhibits: HS/7 - HS/10

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812 / KB-2025-001739**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

EXHIBITS OF HEATHER STEVENS

HS/10

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812 / KB-2025-001739**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

CHRONOLOGY OF ORDERS OBTAINED AND AMENDMENTS TO NAMED DEFENDANTS

Date	Details
09/05/25	Relevant development commenced on the Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") without the required planning permission.
16/05/25	Injunction Order of Mr Justice Eyre granted until 23 May 2025 in relation to title number K871684 against: • Michael Larter • Bill Lee • Persons Unknown The Council's application included the plots on the Land owned by Curtis Love and Keith Jeeves (title numbers TT17100 and TT171757). These plots were excluded from the Injunction Order because Mr Justice Eyre found that the requirements of proceeding without notice against Mr Love and Mr Jeeves were not met.

20/05/25	The Council was informed that plots on the Land had been sold by Mr Larter between 04/09/24 and 04/11/24 to Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper and Albie John Wilkins. The HM Land Registry transfer documents (TP1s) are exhibited as HS/1 - HS/4.
23/05/25 Return Date	Injunction Order of Mr Justice Dexter Dias granted until 6 June 2025 against: • Bill Lee • Bill Leonard Lee • Wesy Bill Wally Lee • Roy Christopher Draper • Albie John Wilkins • Persons Unknown The Council did not seek to include the plots of Land owned by Curtis Love and Keith Jeeves particularly as Mr Jeeves had told the Council that he had no intention of residing on his plot.
30/05/25	Late in the morning on 30 May 2025, the Council became aware of development on the Land owned by Keith Jeeves. Injunction order of Mr Justice Dexter Dias (out of hours and without notice) against: • Keith Jeeves • Ted Jeeves • Curtis Love • Bonny Harbour • Jonny Bigmore • Persons Unknown The Council subsequently became aware that Ted Jeeves is 17 years of age and therefore served him with a copy of the Injunction Order for information only. The Council has received conflicting information in relation to ownership of the plot thought to be owned by Keith Jeeves. Mr Jeeves has repeatedly stated that he owns the land. However, a planning application for change of use of the plot to use as a Gypsy and Traveller site has been submitted to the Council confirming that the plot is owned by Bonny Harbour. If this is correct, evidence that Jonny Bigmore and Keith Jeeves have an interest in the plot is demonstrated by their appeals against the planning application refusal and against the enforcement notice. Furthermore, they were seeking to occupy the plot that is registered to Keith Jeeves on 30/05/25.
06/06/25	The Council seeks to amend its Claim to include the following Defendants and a further Injunction Order is sought against: • Bill Lee • Bill Leonard Lee • Wesy Bill Wally Lee • Roy Christopher Draper • Albie John Wilkins • Persons Unknown

	• Keith Jeeves • Curtis Love • Bonny Harbour • Jonny Bigmore

Statement on behalf of the Claimant
Witness: Andrew Culley
4th Statement
Dated: 04.06.2025
Exhibits: AC/66 to AC/89

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

FOURTH WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. On Friday 30 May 2025 at approximately 11:30pm, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer). We met on the site with two Police Officers from Kent Police (PC ALLEN 15795 and PC SMITH 31130) due to the time of day and as there had been a report of the breach of peace earlier in the day. We could see on KEITH JEEVES's plot a vehicle blocking the entrance which is subject to an enforcement notice to reinstate the hedge row and permanently close it.

3. I served an unsealed Injunction Order as granted by Mr Justice Dexter Dias that same night with a covering letter and pack, to Persons Unknown on the most northern gate to the land owned by CURTIS LOVE, we then walked to the southern entrance onto CURTIS LOVE's land and I served an unsealed Injunction Order with covering letter and pack addressed to CURTIS LOVE.

4. BILL LEONARD LEE approach us and said he was pleased we were there as he wanted to show us some racist comments towards gypsy travellers which was on a Facebook group for the area, we agreed that it was not acceptable and that he should screen shot it and report it to the Police using the 101 service as it was not something we have power to deal with.

5. KEITH JEEVES and JONNY BIGMORE came out onto the track where we were talking, a vehicle was also blocking the entrance into KEITH JEEVES's land. At approximately 11:41pm I served KEITH JEEVES with the Unsealed Injunction Order pack with a covering letter to him. We explained to both of them what the notice covered and I also read the PENAL NOTICE to them and advised that they should seek legal advice and that the matter would be heard on Friday 6th June at the High Court which would be his chance to represent himself.

6. I tried to serve the Unsealed Injunction Order pack with a covering letter to JONNY BIGMORE but he refused to take it from me, saying the land wasn't his so nothing to do with him, we advised that he is attempting to live on the land and is on the application which the Council received earlier that day. I told him that I would leave it attached to the land, he said fine do that. We told him that we would now need to speak to BONNY HARBOUR, he said he would go and get her.

7. I told KEITH JEEVES that I also needed to speak to TED JEEVES, KEITH JEEVES then said why as his son was only 17 years old, went to get TED's driving licence but came back saying that TED had left it at his mum's house saying the Police could confirm his age and asked them if they could run a check to prove his age. They asked if he had been in trouble with the Police before, KEITH said 'no' but can't you check for his driving Licence. The police ran

a check on their mobile for TED JEEVES's driving licence and then showed the picture it came up with of TED and confirmed he was only 17 years old.

8. At approximately 11:50pm BONNIE HARBOUR came over to where we were talking I served her with the Unsealed Injunction Order pack with a covering letter to her. I advised to seek legal advice and what the order was and the Penal Notice.

9. LEANNE TARLING gave KEITH JEEVES and BONNY HARBOUR a sheet with the Tunbridge Wells Borough Council emergency contact details, and advised that if they called the number now they would be able to organise housing for them tonight. We checked that they had phones and if they needed any help in contacting the number. BONNY HARBOUR and JONNY BIGMORE started to walk off to the static caravan BONNY had come from. KEITH JEEVES said he wouldn't be calling the number as that was not his way of living, we asked could you tow your touring caravan somewhere to stay, he said that his vehicle's clutch was almost completely gone due to the moving of the mobile homes with it earlier that day, he said to TED JEEVES to call his mum to let her know he was dropping him home, KEITH JEEVES said he would sleep in his car.

10. I then served on the gate into KEITH JEEVES's field two Unsealed Injunction Order packs with covering letters one to JONNY BIGMORE and the other to PERSON UNKNOWN, while I was attaching these BILL LEONARD LEE said that we had spelt JONNY wrong it should be with a 'H' and also his last name wrong, I didn't catch how he said to spell the last name. I did think this was strange as earlier in the day he had said he had only met JONNY BIGMORE once before today. I also served another Unsealed Injunction Order pack with covering letter to PERSONS UNKNOWN on the empty mobile home in the north corner of KEITH JEEVES's plot.

11. We went to check one last time that BONNY HARBOUR and JONNY BIGMORE were ok in contacting the Tunbridge Wells Borough Council emergency housing, when KEITH JEEVES drove up to us and asked if he could sleep in his car on the land, we advised he may be held in contempt of court. He said he might sleep on the track which leads to his field which isn't in the Injunction Order.

12. On reaching the other mobile home BONNY HARBOUR was bringing one of her children out and putting them in the car, and went back inside. I called to JONNY BIGMORE and asked if him and BONNY HARBOUR needed any assistance in contacting the emergency housing team as they would be able to help due to them having children. He said that BONNY just wanted to be left alone.

13. When we left the site KIETH JEEVES had already left the site and we could see that JONNY BIGMORE and BONNY HARBOUR were loading bits into the car to leave.

14. On Tuesday 3 June 2025 at approximately 11:20, I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleagues LEANNE TARLING and PIP PRESTON (both Planning Investigations Officers) we also met on the site with TERRY HUGHES who is Tunbridge Wells Borough Council's Community Safety Manager as he wanted to do welfare checks on anyone living on the land as he had tried to do this on Friday 30 May 2025 but everyone on the land was too busy unloading the static caravans. We entered the land and knocked on all the units on KEITH JEEVES's land but there was no answer. I took photographs of the mobile homes, caravan, possible dog kennel, sheds and an area in which a fire had been which I **Exhibit as AC/66 To AC/79**

15. While TERRY HUGHES was doing a welfare check with BILL LEONARD LEE I served sealed Injunction Orders as obtained on 30th May 2025 out of hours and granted by Mr Justice Dexter Dias at the following locations:

    I. On the gate post to KEITH JEEVES land 4 packs with covering letters to the following people KEITH JEEVES, JONNY BIGMORE, BONNY HARBOUR and PERSONS UNKNOWN. I also put a letter addressed to TED JEEVES which advised him we are now aware he is under 18 years of age and are not seeking to add him as a Defendant in these proceedings, along ith a copy of the Sealed Injunction Order for information only. I took close up photos which I **Exhibit as AC/80 and AC/81** and distance **Exhibit as AC/82**

    II. On the gate from the road to the most northern entrance of CURTIS LOVE's land with a covering letter for Persons Unknown which I **Exhibit as AC/83** a photo from distance and **Exhibit as AC/84** a photo close up.

    III. On a post on CURTIS LOVE'S land with covering letter addressed to CURTIS LOVE and a second pack with cover letter to PERSONS UNKNOWN I took a close up photo which I **Exhibit as AC/85** a distance photo **Exhibit as AC/86**.

    IV. On the gate blocking the entrance which has an enforcement notice to close it permanently with covering letter I took photo which I **Exhibit as AC/87** and distance **Exibit as AC/88 and AC/89**

16. Just as we finished serving the packs KEITH JEEVES and TED JEEVES arrived in a white panel van. We let TERRY HUGHES do the welfare check on KEITH JEEVES, I then served KEITH JEEVES with the sealed injunction which I took off the post and advised him to seek legal advice, KEITH JEEVES said there was no point in giving it to him as he can't read or

write. I advised he should seek legal advice, he said to send it to his planning agent I left the pack just inside the door of his caravan. He then told me he didn't want to see me anymore as he had had enough. He then shouted 'Leanne that goes for you as well I don't want to see either of you'.

17. I removed the letter for TED JEEVES from the post and gave it to him, he said I don't think you should be giving me anything I'm under 18, I said it was just for reference as we now know he is under 18. We then left the site.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed..... ..... Dated.....04.06.2025.....

AC/66 Mobile home in northeast corner and shed, also stack of metal bars for possible animal enclosure.

AC/67 Mobile home in northeast corner and hardcore on ground

AC/68 Mobile home in northeast corner shed and water supply

AC/69 Mobile home in northeast corner close up of shed and bars for possible animal enclosure.

AC/70 2nd Mobile home south of the other mobile home

AC/71 2nd Mobile home south of the other mobile home, and animal enclosure to left of it.

AC/72 Materials behind the 2nd Mobile home and shed south of the other mobile home.

AC/73 2nd Mobile home and shed south of the other mobile home.

AC/74 2nd Mobile home, south of the other mobile home.

AC/75 Animal enclosure to south of 2nd mobile home.

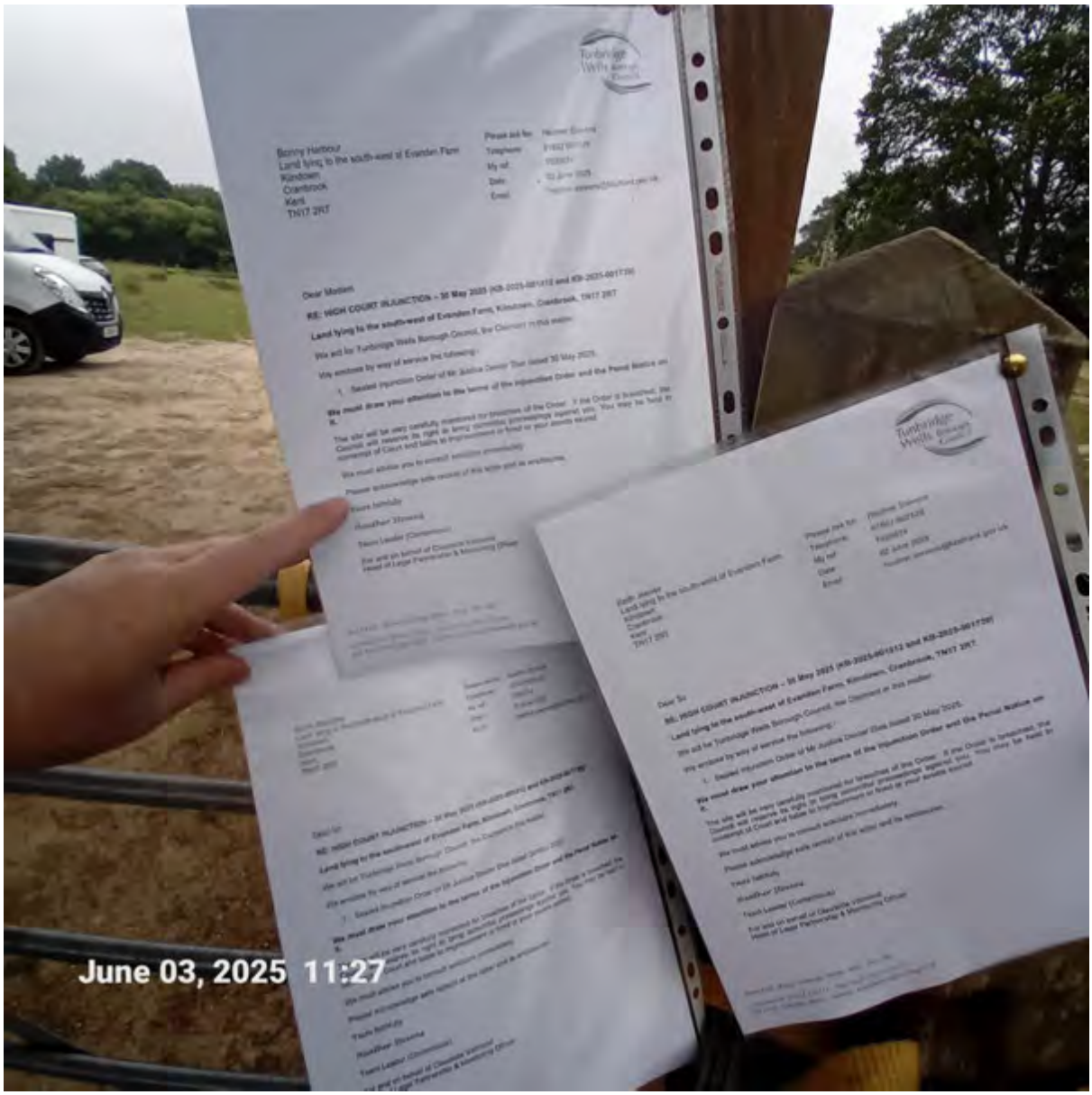
AC/76 Touring caravan

AC/77 White pannel van, trailer and horse

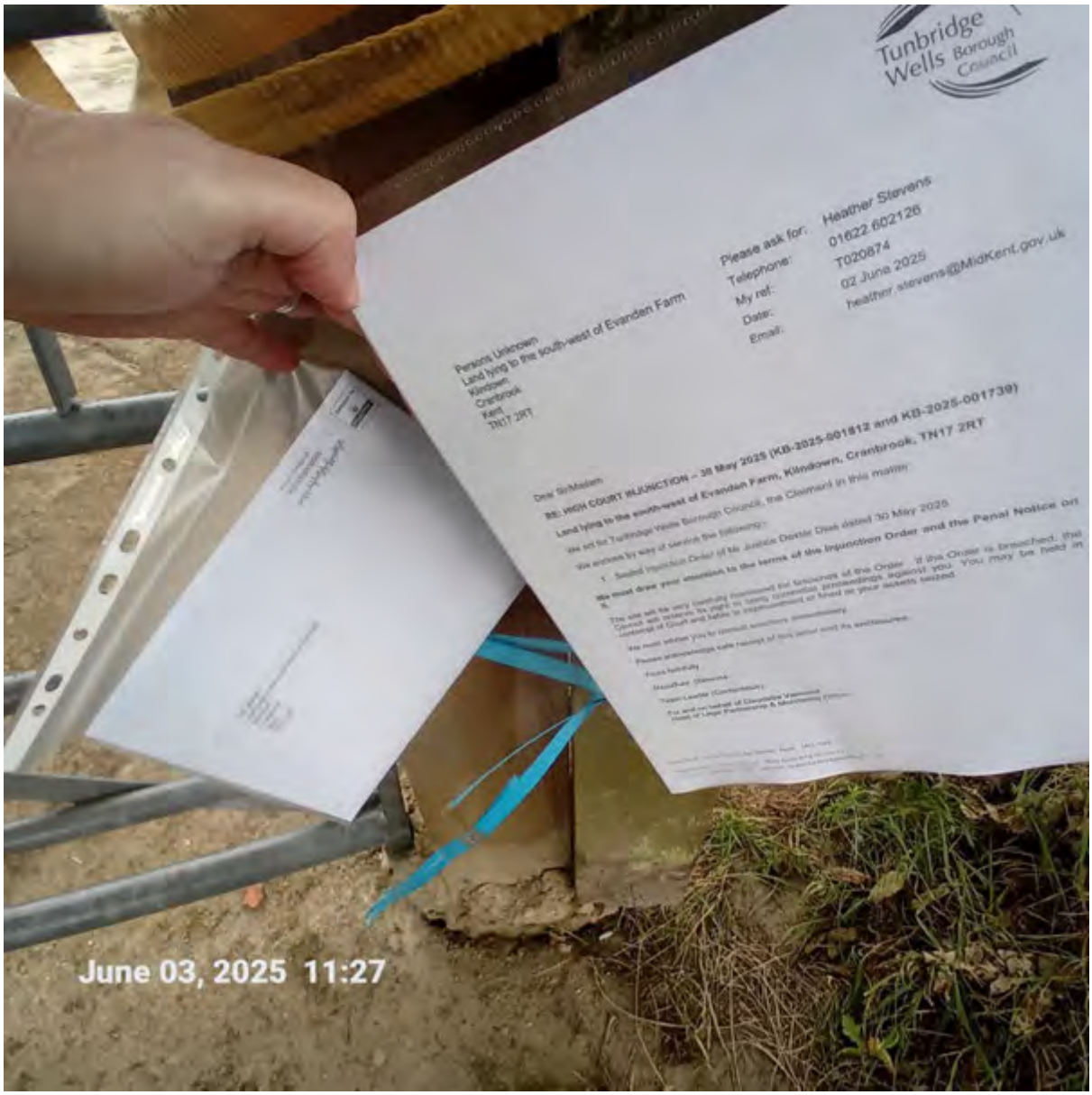
AC/78 Horse box and panel van

AC/79 Area in which fire has been

AC/80 Close up of packs to KEITH JEEVES, JONNY BIGMORE and BONNY HARBOUR

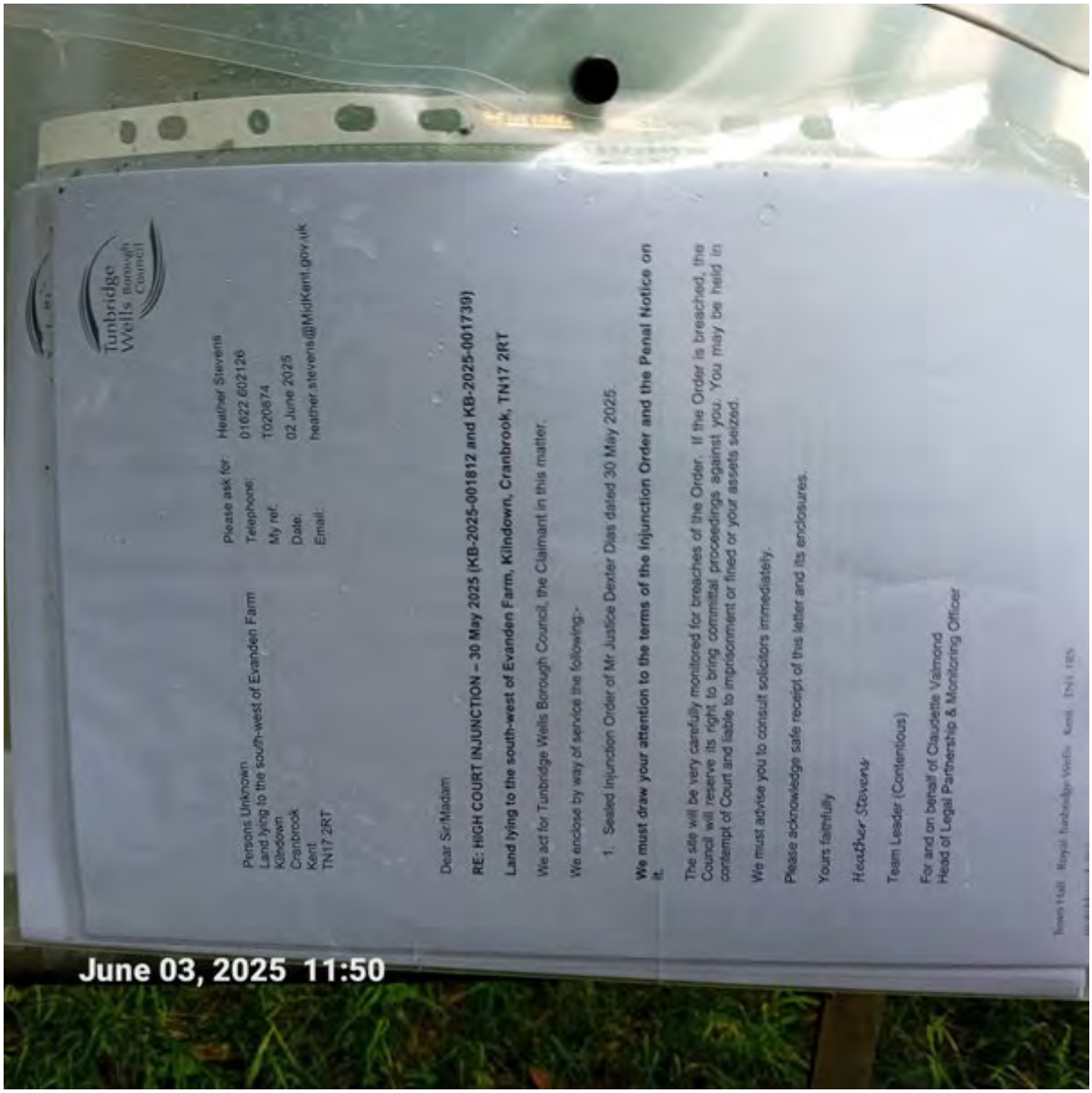


AC/81 Close up of pack to PERSONS UNKNOWN and letter to TED JEEVES.



AC/82 distance photograph of packs served on KEITH JEEVES land.

AC/83 Close up of pack to PERSONS UNKNOWN on Northern gate to CURTIS LOVE's land



Tunbridge Wells Borough Council

Please ask for: Heather Stevens
Telephone: 01622 602126
My ref: T020874
Date: 02 June 2025
Email: heather.stevens@MidKent.gov.uk

Persons Unknown
Land lying to the south-west of Evanden Farm
Kilndown
Cranbrook
Kent
TN17 2RT

Dear Sir/Madam

RE: HIGH COURT INJUNCTION – 30 May 2025 (KB-2025-001812 and KB-2025-001739)

Land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

We act for Tunbridge Wells Borough Council, the Claimant in this matter.

We enclose by way of service the following:-

1. Sealed Injunction Order of Mr Justice Dexter Dias dated 30 May 2025.

We must draw your attention to the terms of the Injunction Order and the Penal Notice on it.

The site will be very carefully monitored for breaches of the Order. If the Order is breached, the Council will reserve its right to bring committal proceedings against you. You may be held in contempt of Court and liable to imprisonment or fined or your assets seized.

We must advise you to consult solicitors immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours faithfully

Heather Stevens

Team Leader (Contentious)

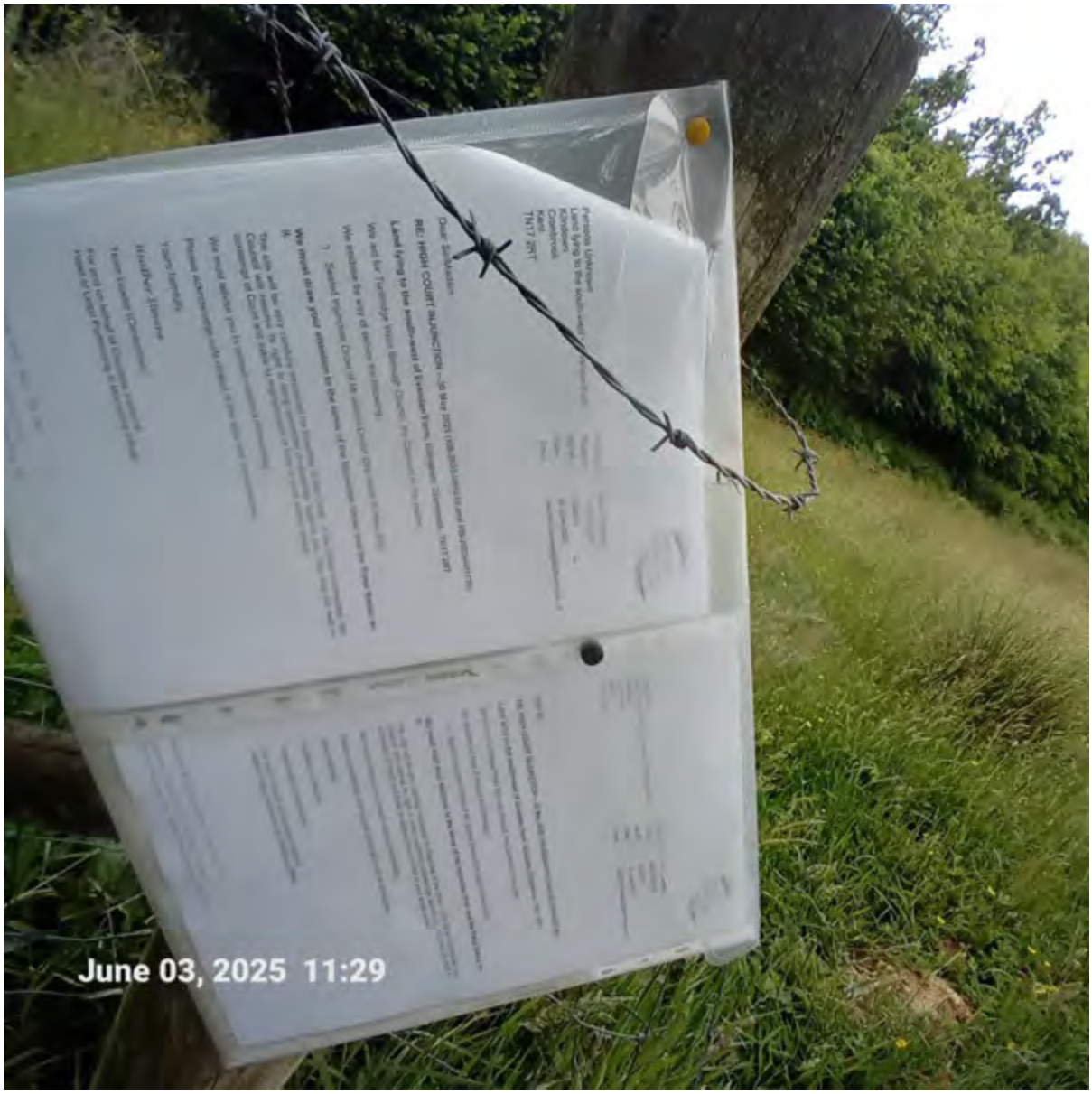
For and on behalf of Claudette Valmond
Head of Legal Partnership & Monitoring Officer

Town Hall Royal Tunbridge Wells Kent TN1 1RS

June 03, 2025 11:50

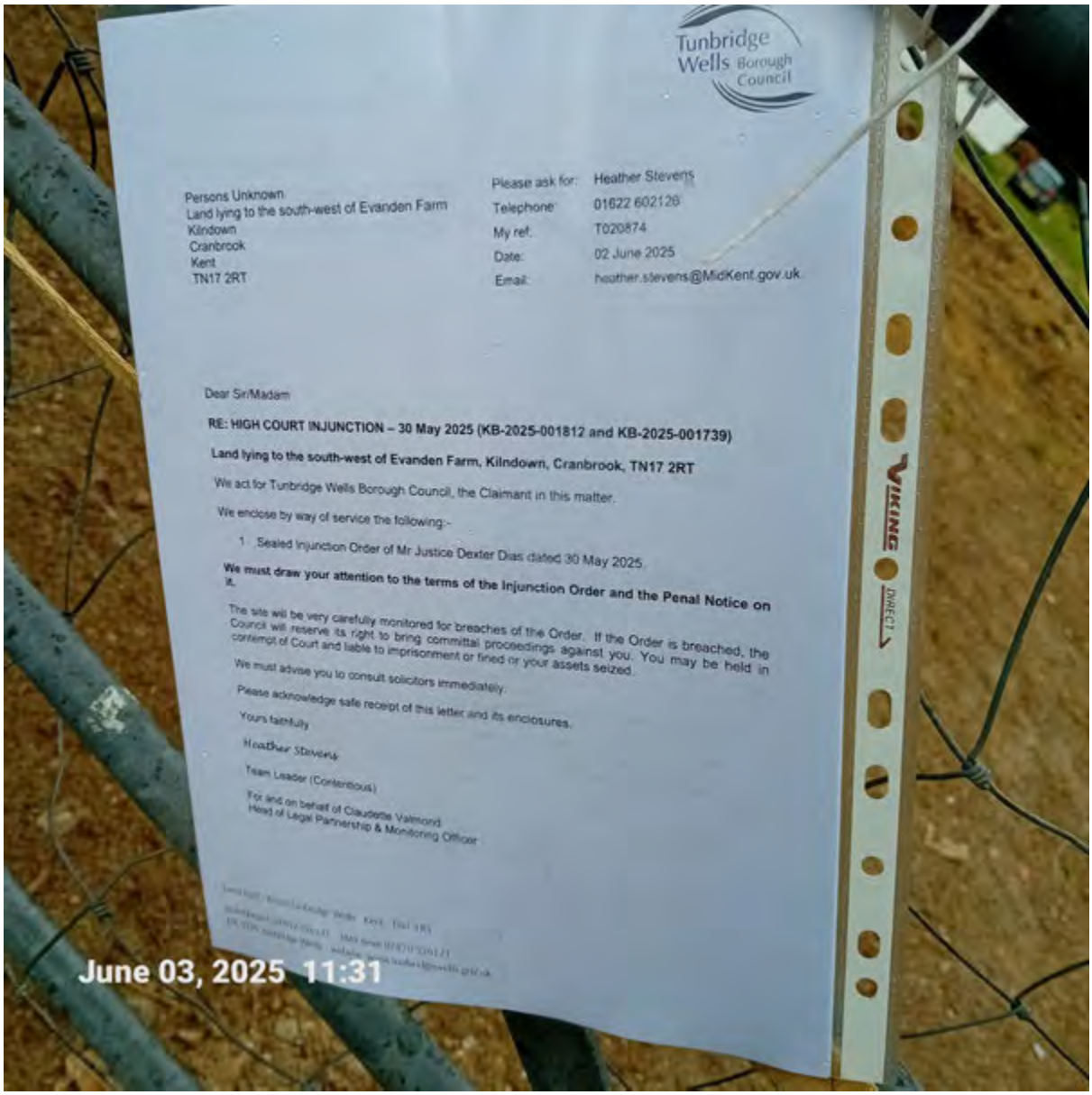
AC/84 Distance phot on north gate to CURTIS LOVE's land.

AC/85 Close up of packs to CURTIS LOVE and PERSONS UNKOWN



AC/86 Distance photograph of pack served on CURTIS LOVE's land

AC/87 Close up of pack to PERSONS UNKNOWN on unauthorised entrance to KEITH JEEVES land



Tunbridge Wells Borough Council

Persons Unknown
Land lying to the south-west of Evanden Farm
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: Heather Stevens
Telephone: 01622 602126
My ref: T020874
Date: 02 June 2025
Email: heather.stevens@MidKent.gov.uk

Dear Sir/Madam

RE: HIGH COURT INJUNCTION – 30 May 2025 (KB-2025-001812 and KB-2025-001739)

Land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

We act for Tunbridge Wells Borough Council, the Claimant in this matter.

We enclose by way of service the following:-

1. Sealed Injunction Order of Mr Justice Dexter Dias dated 30 May 2025.

We must draw your attention to the terms of the Injunction Order and the Penal Notice on it.

The site will be very carefully monitored for breaches of the Order. If the Order is breached, the Council will reserve its right to bring committal proceedings against you. You may be held in contempt of Court and liable to imprisonment or fined or your assets seized.

We must advise you to consult solicitors immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours faithfully

Heather Stevens

Team Leader (Contentious)

For and on behalf of Claudette Valmond
Head of Legal Partnership & Monitoring Officer

June 03, 2025 11:31

AC/88 Distance photo of pack to PERSONS UNKNOWN on unauthorised entrance to KEITH JEEVES land

AC/89 Distance photo of pack to PERSONS UNKNOWN on unauthorised entrance to KEITH JEEVES land

Statement on behalf of the Claimant
Witness: Leanne Tarling
Third Witness Statement
Dated: 04/06/25
Exhibits:

IN THE HIGH COURT OF JUSTICE **CLAIM NO.KB-2025-001812**
Matter No KB-2025-001739

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL **Claimant**

and

(1) BILL LEE
(2) BILL LEONARD LEE
(3) WESY BILL WALLY LEE
(4) ROY CHRISTOPHER DRAPER
(5) ALBIE JOHN WILKINS
(6) PERSONS UNKNOWN
(7) KEITH JEEVES
(8) CURTIS LOVE
(9) BONNY HARBOUR
(10) JONNY BIGMORE

DEFENDANTS

THIRD WITNESS STATEMENT OF LEANNE TARLING

I, Leanne Tarling, Planning Investigation Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS

WILL SAY as follows:-

1. My duties as a Planning Investigation Officer include investigation of, and enforcement against, breaches of planning control in the Borough of Tunbridge Wells.

   I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. Following on from my previous visit in the afternoon of the 30/05/2025, I returned to the site known as the Land Between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent at approximately 21:00 that evening with my colleague Pip

Preston (Planning Investigations Officer) under enforcement case 25/00094/OPDEV. The purpose of this particular visit was to serve an immediate Temporary Stop Notice on the land in question in relation to a breach of planning control, namely the material change of use of the land from agricultural land to the use of the land for the stationing of caravans intended for residential occupation. Whilst the Council was in the process of obtaining an interim injunction, as it was not known if this would be obtained or what time of night it might be obtained, the Council wished to take the immediate action it could with powers available to it in order to prevent further development on this sensitive area of land.

3. On arriving at the site it was still daylight as evidenced in Exhibit LT/1, LT/2, and LT/6 so the site and any unlawful development was wholly visible at this time. We entered the site through the unlawful entrance off Church Road which is currently subject to an Enforcement Notice. At this time there were two static mobile homes, two sheds, metal dog kennels, large metal gates (not yet installed), a tourer, 3 cars, a van, a horsebox, and a small trailer on site. Exhibits LT/1 and LT/9 evidences the 1st static mobile home that was brought onto the land, a timber shed, and large metal gates resting on the hedgerow, this static is viewable from the unlawful access off Church Road. Exhibit LT/2 shows the smaller static mobile, one car which appeared to be in Ms B Harbour's ownership, and the metal dog kennels to the west. Exhibit LT/12 shows the larger shed besides the second static mobile home. Exhibit LT/6 shows the tourer which belongs to Keith Jeeves along with two cars, a van, horsebox and small trailer, his horse is fences in behind this. Items which up until now have not been mentioned in previous witness statement had been brought to the site during the afternoon and evening of 30th May 2025. To clarify, 2 static mobile homes, one tourer, two sheds, one dog kennel, large metal gates, two additional cars and a red generator were brought onto site on the 30th May 2025.

4. To the south of the site I could see two males in the touring caravan, and to the west of the site were two male children playing on bikes. I approached the touring caravan recognising one of the men to be Keith Jeeves, owner of the land Titled TT171757 . I asked Keith who was on the land, if anyone was in each static mobile home. He explained that he and Ted were in his tourer, Bonnie was in the second static that was brought onto the land with her two children, and the first static home that was brought on was currently empty. I informed him that Pip and I were there to serve the Temporary Stop Notice on the land and that I was required to serve the documents to all parties. I explained that the Temporary Stop Notice has an immediate effect, lasting for 56 days and relayed the information within the notice including the activities which must cease, in particular that no one may bring onto the land any additional caravans whether statics, tourers, or mobile

homes, and that there may not be any residential occupation. I further explained that should anyone breach the Temporary Stop Notice, that would be a criminal offence for which they could be prosecuted. I advised them to leave the land and seek professional advice. Keith seemed to not fully understand the notice, to which I advised he spoke with his planning agent who should understand it.

5. Almost as soon as I relayed the information (and served the notice) to Keith, he called his planning agent who I had spoken to earlier on that day, Stuart Carruthers. Stuart appeared frustrated that we (the Council) had served the notice and was informing me that enforcement action is "discretionary" and that we shouldn't be doing this. He also demanded to know why we hadn't performed "any welfare checks" and expressed that there are steps we should have taken prior to serving this. At this time I explained that I was "serving the Temporary Stop Notice on behalf of TWBC as we have decided that it is proportionate to act on this breach of planning control and have exercised our rights under Section 171E of the Act". He seemed to have several questions, (in particular Mr Carruthers mentioned the "people living in the woods" (Shearnfold woods south of the site), I expressed that we will be investigating and enforcing on all breaches we feel necessary within the woodlands, however currently our time is being consumed on more prominent cases.) but this was neither the place nor time for such conversation so I advised him to email me any concerns and said that I would forward them to the appropriate person to be addressed. Mr Carruthers was happy with this and took my details and I returned the phone to Keith.

6. Keith had expressed that they had nowhere to go and questioned me as to where they should go. I suggested that they contact a friend or family, or hook up their tourer and stay in it off the land for the night somewhere that is not under a Temporary Stop Notice, or Injunction. Keith expressed that it is illegal to stay on the side of the road. I am unfamiliar with the legalities of staying in a tourer so could not advise, however suggested that if they did do this, to keep the Temporary Stop Notice with them and to show that to any police who may speak to them so that they understand the situation. He then went on to explain that his car would be unlikely to pull the tourer after using it to manoeuvre the static mobile home earlier that day, stating that he had "burnt the clutch out". I agreed this was likely the case as I witnessed the manoeuvre of the static home earlier.

7. Both Keith Jeeves and his son Ted Jeeves had been served the papers for the Temporary Stop Notice at this point (as exhibited in LT/3 and LT/4), as I was under the assumption that Ted was an adult having met him briefly earlier that day. At this point there was nothing mentioned to the contrary. I explained that I also needed to serve the papers to Bonnie

and Jonny too as well as any persons interested in the land. The children were obviously aware of our attendance and Keith called Bonnie over to us.

8. Whilst speaking with Keith I asked him to clarify who intends on staying/living as earlier in the day there were many conflicting stories between the parties which led to some confusion and also raised concerns regarding attempts to evade providing information. He confirmed that the intention was for himself and his son Ted to move into the first static mobile home (exhibit LT/1) soon, with his other children visiting occasionally, I believe weekends. He said that Bonnie and her two children were in the other static home. When I asked about Jonny, there were no definitive answers at this time. I asked Keith if anyone else was coming to the land to reside, which he said "no one else is".

9. I then explained to Ms B Harbour (in the presence of Keith Jeeves and Ted Jeeves) that Pip and I were there to serve the Temporary Stop Notice on the land and that I was required to serve the documents to all parties. I served Ms Harbour her named notice, and also Jonny Bigmore's named notice as exhibited in LT/5. I explained that the Temporary Stop Notice has an immediate effect, lasts for 56 days and relayed the information within the notice including the activities which must cease, in particular that no one may bring onto the land any additional caravans whether static, tourers, or mobile homes, and that there may not be any residential occupation. I further explained that should anyone breach the Temporary Stop Notice, that would be a criminal offence for which they could be prosecuted. I advised them to leave the land and seek professional advice. I recommended that she called a friend or family to see if they could help her for the night. At this point she questioned me "who will take us in for 56 days? No one.". I explained that I sympathised with her situation with having the two young boys, and advised her again to seek help.

10. As this was the first time I was aware of any children physically on site, I needed to consult our legal team in regards to what action to take so explained to Ms Harbour I would make a call.

11. Whilst awaiting the return call with the legal team, I walked around the site, photographing what was there so we had everything on record. I noted that the Jeeves appeared to be making phone calls at this time also. At this time one of the young boys shouted towards the adults "she's taking photos". At this point Keith walked over towards me (near the 2nd static mobile home shouting out "record her, record this" and then towards me telling me to stop taking photos and stating that "it's private property you need to leave". I stopped taking photos, held the camera in the air and replied to Keith that I was no longer taking

photos and was just looking at the shed behind the static mobile home. I then explained that we are legally permitted to enter land when we are aware of a breach of planning control.

12. Ms Harbour, Keith Jeeves, Pip and I were all stood near Ms Harbour's static mobile home when I asked Keith "who owns the land, who currently owns the land?". When questioned, Keith confirmed, as a matter of fact, that he owns the land. I explained that he had earlier that day told me he was thinking of selling the land, and that we had received a planning application where it is stated that Ms B Harbour owns the land. Therefore, I carried out a land registry check which at the time confirmed no pending titles. Keith again confirmed "I own the land", this was said in front of Ms Harbour who did not say anything to the contrary, or regarding the planning application. It is still unclear why a planning application has been submitted to the Council confirming that Ms B Harbour owns the land.

13. Ted Jeeves had walked over by this time, and asked me about the notice again, asking where is mentioned that people couldn't "live on the land". I went over paragraph 5 of the notice as exhibited as LT32 again pointing out the 'residential occupation' and elaborating on the meaning of occupying the land for residential purposes.

14. At this time a black truck entered the field via the unlawful entrance off Church Road. Bill Leonard Lee was driving the truck with the driver window open and came to a stop where we were stood on the field. He asked what was happening so I explained we were there to serve the Temporary Stop Notice on the land. Ted Jeeves then asked Bill if he could read to which Bill replied "yeah why?". Ted then asked Bill to read the notice to see if it said anything about living on the land. I showed Bill where to look on the notice where is stated 'residential occupation', he appeared to understand the notice.

15. It seemed appropriate to wrap things up as it was beginning to get dark, so I reiterated the terms of the notice again and advised all parties to seek legal advice and to leave the land so that they are not in breach of the notice. I expressed that they are aware of the local interest in the situation and that I am certain we will be informed if they did breach the notice. I explained I would also leave a notice on an entrance to the land for any other persons, Keith expressed he didn't want me to do that, I explained I had to ensure all persons are served and that I would leave it beside the unlawful entrance on Church Road. Exhibit LT/15 shows the "any other persons" notice, in the background is the black truck which Bill Leonard Lee drove onto the site.

16. Ms Harbour had walked back towards her rented static home during this conversation. A small white van entered the site and parked besides the static mobile home for Bonnie, I asked Keith who had just arrived and he responded something along the lines of “it’s got nothing to do with you”.

17. We then left the land, serving the final notice as explained in paragraph 16, to return to the Council offices. I took one last photo at this time, as exhibited as LT/16 evidencing the proportion of the development which is viewable from the current unlawful entrance off Church road, taken at 21:31 on leaving the site.

18. Andrew Culley (Planning Compliance Officer) and I returned to the site at approximately 23.30 (it was dark so we required torches for visibility) where we met two awaiting Police officers, PC George Allen ID 15795 and Chloe Smith ID 31130 for the purposes of serving a High Court Injunction which had very recently been granted out of hours by Mr Justice Dexter Dias. When we met the officers we told them that we needed to walk along to the furthest gated entrance to Curtis Love’s land first so as to serve the High Court Injunction as exhibited as LT/17 and LT/18 at 23:35. During this walk I gave them the recent brief history on the site regarding the previous two Enforcement Notices served, the Temporary Stop Notice in the woods, the current High Court Injunction, the exclusion of two plots from the injunction by the Court, the Temporary Stop Notice served earlier that night, and the current High Court Injunction we were there to serve. I explained the legalities of compliance/noncompliance to the officers, along with our powers. I mentioned that the events of the day had resulted in one alleged assault on a delivery driver which I believe the police were already aware of, although it has been said that the victim did not wish to take this further. I explained that they were essentially there to “keep the peace”, as it is possible the situation may turn hostile.

19. The four of us then walked to the track entrance between the fields and served the Injunction to Curtis Love on the post entrance to his land, see exhibit LT/19 and LT/20 at 23:38. Whilst we were doing this we were approached by a man with a torch from within the track, this turned out to be Bill Leonard Lee. Andrew and I greeted Bill who asked what we were doing back, I explained that we were there to serve an injunction on the land. Almost immediately after Keith Jeeves appeared, shortly followed by Jonny Bigmore. Andrew and I greeted both men and I explained that we were there to serve a High Court Injunction on the land and to all interested parties. I explained that the Injunction prevented any additional caravans being brought onto the land, any residential occupation, along with several other restrictions which are all listed very clearly within the injunction. During

this conversation we handed Keith his Injunction pack at approximately 23:41. It was midst conversation when Jonny Bigmore arrived on the track where we were stood, approaching from the field with the static mobile homes. I explained that the injunction was also served on Curtis Love's land, which Bill then questioned why we were also serving that land. I explained that in the initial injunction we (the Council) had included all 6 parcels of land to prevent any other harmful development however the judge had not included the parcels owned by Jeeves and Love at that time. Now that this has occurred on Keith Jeeves land, the Council's position was that its original fears were realised and there is an understandable fear that the same development may occur on Mr Love's land .

20. With both Jonny and Keith aware of the injunction we also needed to speak with Bonnie. Jonny had not wished to take his Injunction pack, so we said we would leave it on the land for him along with other persons as exhibited on LT/24, LT/25 and LT/26 but we did need to see and serve Bonnie too. Jonny seemed confused over the time or day, and was referencing that it wasn't "yet midnight". At this point it was approximately 23:45, although I explained that as soon as the Injunction is served it is active, regardless of the time (indeed Mr Justice Dexter Dias had stated that it was effective from the time it was granted). As we were speaking about the need to serve everyone applicable, Jonny made a reference to "serving a child" seemingly when I mentioned 'Jonny Bigmore'. He said something about Jonny being his child. I'm unsure whether he was confused about what we were saying, or whether he was trying to confuse me/us. I then stated that when I had met him earlier on that day his planning agent had relayed to me via the phone that the "person who handed you the phone is Jonny Bigmore". I then asked Jonny "are you Jonny Bigmore" to which he replied "yes" and repeated his name back to me, although the beginning of his surname sounded slightly different, he walked away so I couldn't interact any further about this. It felt almost like a stalling tactic to keep us of the land until after midnight. Jonny expressed that he did not think anyone had breached anything as midnight had not passed. I explained essentially that if everyone left now, there would be no breach of the Temporary Stop Notice or Injunction.

21. The group were asking us additional questions about the injunction specifically, Andrew advised them to seek legal advice for the injunction. We explained that there will be a court hearing on Friday the 6th of June and that the information is in the pack. Jonny questioned if they have to go to court and if they "don't go will we get kicked off the land" which I replied that whilst they do not have to, it is advisable as it gives all parties the opportunity to defend themselves in court and put across their stories. I explained that by attending

that is not an admission of any wrong doing. I too advised them to seek legal advice regarding the injunction.

22. I then suggested we go to see Bonnie as we needed to serve her, and we all walked onto the land owned by Jeeves at 23:46, as exhibited in LT/21. Jonny then walked over to the static mobile home to retrieve Bonnie. On walking onto the site there were no lights on in the static mobile home where Bonnie and her 2 children were.

23. Whilst I was explaining who the Injunction would be served on, in terms of Keith Jeeves, Ted Jeeves, Bonnie Harbour, Jonny Bigmore, and any other persons, Keith then questioned why Ted was being served. I replied that it was because he was also attempting to reside on the land with him. It was at this point that Keith told me Ted was a child and was "only 17". Having met Ted earlier that day I assumed that he was over the age of 18, hence why he was included. I apologised to Keith and exclaimed that this was my mistake, I had thought he was an adult but if he is 17 then he is a child and we will not be serving an Injunction on a child. I said I would confirm that, but I am quite certain that I am correct. Keith then asked if we would like to see ID for Ted, I said that would be helpful. He went to the tourer asking Ted to pass his Id, however he didn't have it with him. Keith then returned and asked if the police officers could check his information, I then asked Keith whether Ted was known to the police, and he said no. At this point PC George Allen asked if Ted had a driving license which Keith responded yes and gave Ted's information. PC Chloe Smith then entered the information into their handheld device which brought up Ted's driving license, showing me the photo to confirm ID. I stated that I had only met Ted the once but confirmed this was the Ted I had met earlier that day, I had also spotted the address was that which I know to be connected to Keith Jeeves, in Swanley and with a DOB of 11/04/2008 I was satisfied that we would not include him in the service.

24. Whilst Jonny was gone Keith then asked me where they are meant to go, where should they stay. I then explained that as I was aware that there may be children on the site, I had brought along some information about our out of hours emergency housing help, as exhibited in LT/30 and I would strongly advise that he gives them a call as they will be able to assist him, especially as he has a child, a person under 18. I then handed him the paper and indicated where the telephone number was, marked with red. I reiterated for him to call the number as they will assist him and his son.

25. Keith made several comments about his planning application that had recently been refused, and that he had tried to do everything correctly in terms of planning but he kept

getting knocked back and refused. He mentioned that we were not working with him and he has been left in this position partly due to the lack of granted permission on the land. He went on to say if his recent application including a barn was accepted then he could have sold the land and continued to fund his life on the road as he had been, but due to a lack of funds he now can't do that any longer and needs to settle here as he has no other choice of place to go. Bonnie and Jonny had arrived back to us during this conversation.

26. Andrew and I then explained that we were there to serve the Injunction, that no other development as listed within the injunction can occur, and that no one must reside on the land, meaning everyone will need to leave. Andrew served the Injunction pack to Bonnie at 23:51 as exhibited in LT/23. I then handed Bonnie the information about emergency housing helpline and suggested she calls the number - exhibit LT/30. Bonnie did not speak too much other than to say "where am I supposed to take my kids". Again, I asked her to "please call the number, they will help you as you have children, explain the TSN and the injunction". I explained to all parties that if they chose to stay on the land then they would be in breach of the injunction, along with anyone else who would assist anything that is contrary to the injunction and therefore I advised them to leave the land and seek legal help.

27. No party seemed to be open to contacting the emergency housing team, regardless of several requests from Andrew and I to call them. They were very reluctant for any help. Andrew had asked each adult if they had phones to call the number, and if they needed any help in calling them, offering to call on their behalf there and then. No one seemed to want this help. Bonnie and Jonny walked over to the static mobile home and Keith shouted to Ted to get dressed, and stated he was taking him to his mum's. Again, we asked Keith if he wanted any help with the number. At this point Keith told us that he did not want help, this is his life (meaning his caravan) and that he didn't want to stay in a B&B as that is "not him".

28. Andrew and I walked over to the unoccupied Static home and served notice to other persons at the entrance to the static home as evidenced in exhibit LT/27 and LT/28.

29. Keith then said that he would take Ted to him mum, (I heard Ted on the phone to his mum and confirmed he could go there) and that he would sleep in his van in the track which is not subject to the injunction. Keith was clearly unhappy about the situation and exclaimed that he would not be able to see his children again this weekend, thanks to this. I said to

Keith again he could stay in his tourer just not on the land. He spoke again of the laws about staying in the tourer on the side of the road. Keith then explained he couldn't move the tourer if he wanted to as he burnt the clutch out earlier in the day moving the static home.

30. Andrew and I walked towards Bonnie's static mobile home to check in on them again, whilst Keith and Ted Jeeves then both got into a car and went to drive off the land. Keith then drove towards us, pulled up besides us and asked what time he can return to his land tomorrow. I explained he is legally entitled to be on his land, but cannot reside there. Andrew then told him again to seek legal advice. Keith then left the land.

31. The two police officers at this point walked to us and explained they would now go and wait in their car, should we need them any further.

32. Bonnie came out of the static home and helped one of her boys into the car and told him to stay there, he was very sleepy and in his pyjamas. I asked her again if she needed any help contacting the emergency housing department, she did not respond. Shortly after Jonny came outside and Andrew asked if they needed any help. Jonny then told us that Bonnie just wants to be left alone and made a comment about how we are doing this. We explained we are simply doing our jobs, and again asked if they wanted any help one last time. Jonny confirmed they do not need any help as he was putting some duvets into the boot of the car.

33. We then left the site, spoke to the officers to thank them for attendance and left at approximately 00:20 on 31.05.2025.

34. Andrew Culley, Pip Preston and I returned to the site on 03.06.2025 to serve the sealed injunction from the court. We also met with our colleague Terry Hughes (Community Safety Manager) onsite so that he could conduct any welfare checks on any persons on the site. We served the papers on Curtis Love's land, then knocked on the door of Bill Leonard Lee's static mobile home. His partner Kelsey answered and went to get Bill. Bill had just been woken, so we explained that Terry was here to conduct welfare checks on the family if he was happy with that, and left him to get ready whilst went to serve the Injunction on the land owned by Keith Jeeves. Bill was happy for the welfare checks.

35. We went over to Jeeves land, knocked on both static homes and the tourer, but no one was around. We then pinned the relevant Injunctions onto the entrance of the field by the track and then walked up to Church road to place one on the now closed in entrance gate.

As we were doing this a white van pulled in, driving was Keith Jeeves and the passenger was Ted. We greeted him and I explained we were serving the sealed Injunction. Keith asked us to meet him at the other entrance. Andrew explained that Terry was there to conduct welfare checks which Keith didn't seem to mind.

36. We met him at the entrance and Keith was hobbling somewhat, explaining that his back was hurting from sleeping in his van for some nights. They had come back to the field to feed their horse. Terry then met with Keith and they went inside the tourer for the welfare checks.

37. Andrew and I asked Keith if he intended on calling the number I had supplied re housing and he said that's not his thing. Andrew gave Keith his papers but he did not want them, so Andrew left them inside the tourer. Keith said something about not reading and writing, so we suggested he sought legal advice, or at the least consult his planner who may understand the injunction. Keith was clearly distressed and asked that Andrew and I don't come back, asking that someone else deals with him as he is sick of us. I apologised for the stress, and we left.

.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

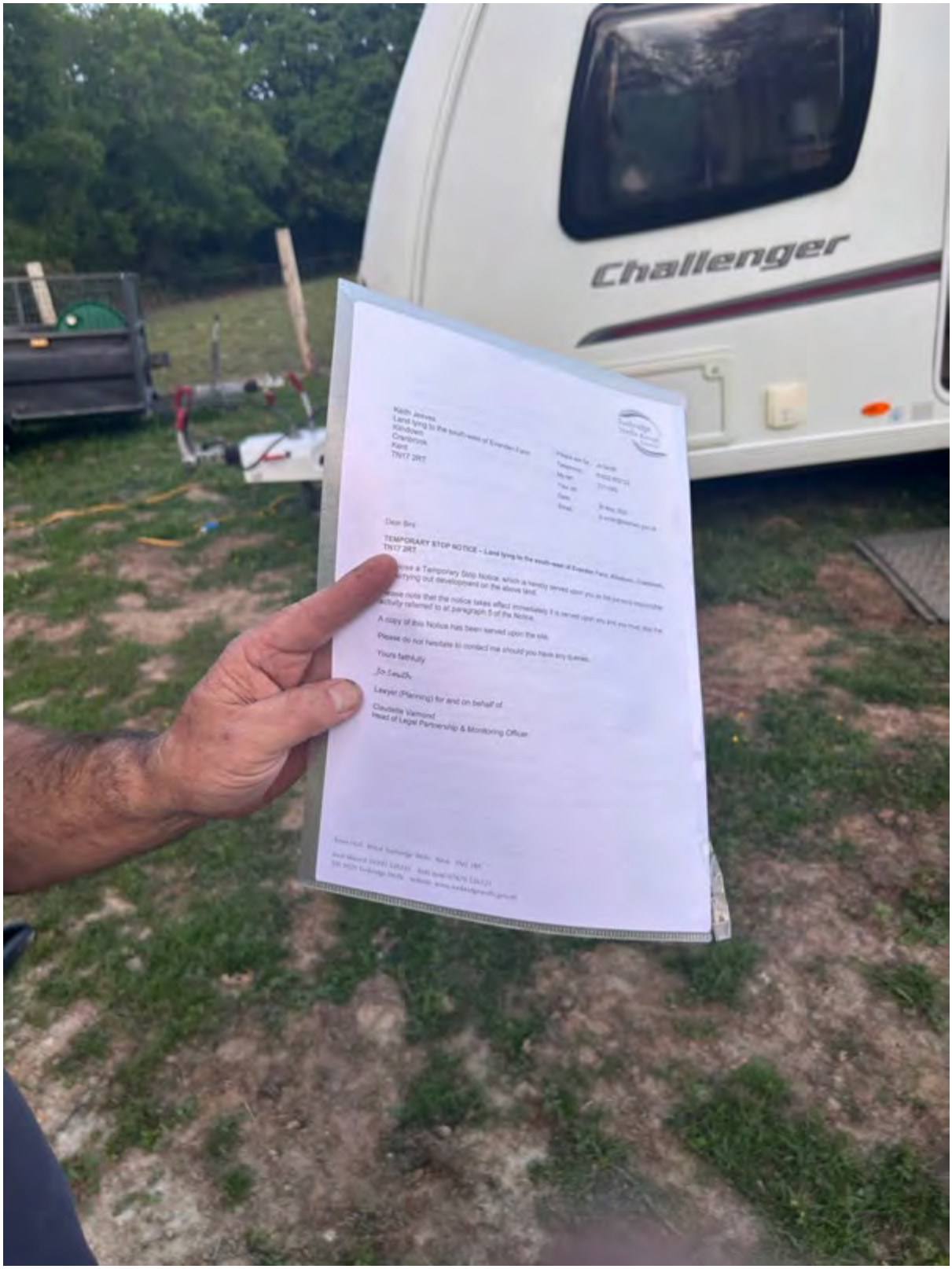
Signed:

Date:04.06.2025

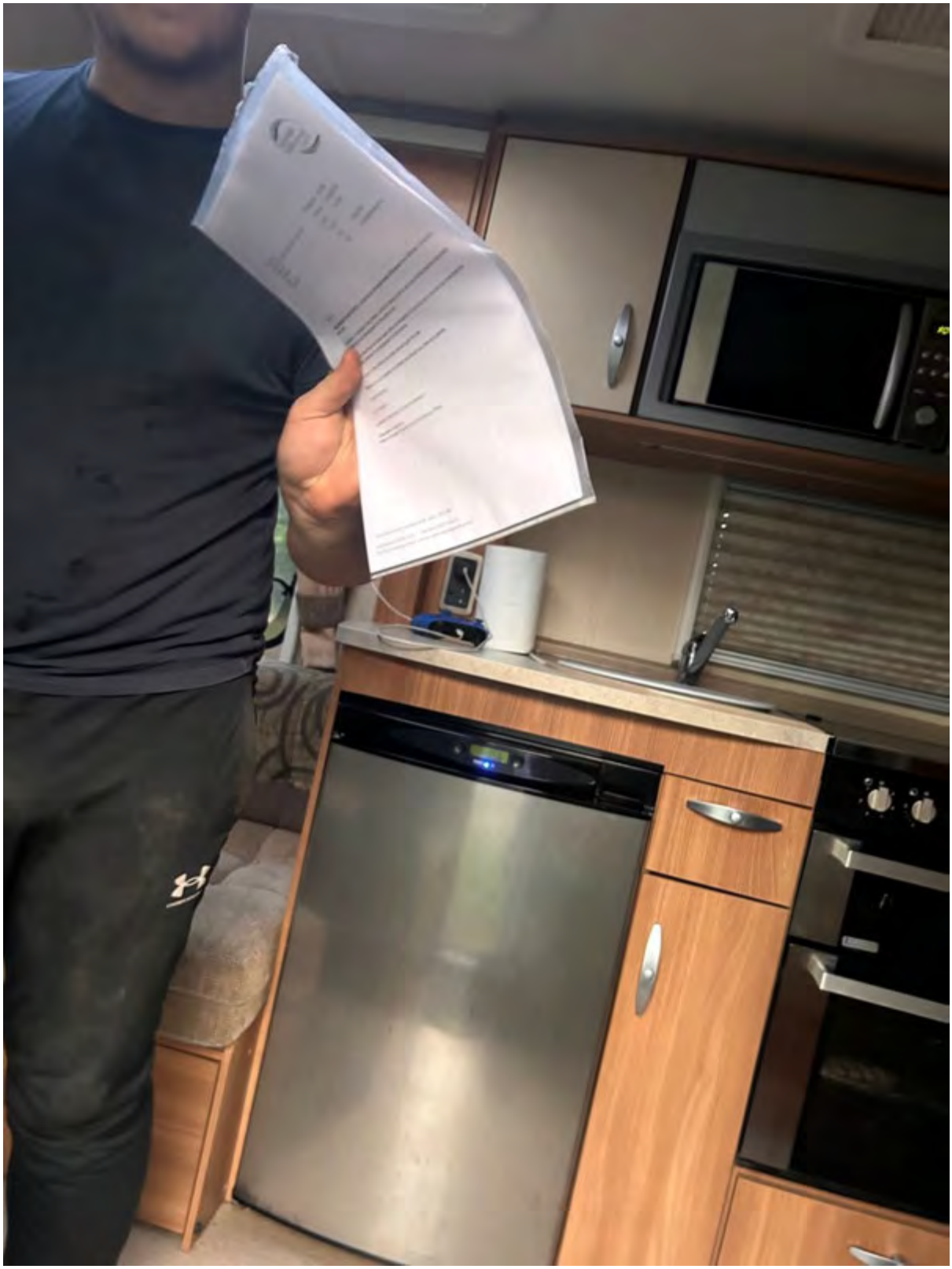
Exhibits from 30.05.2025 TSN and Injunction.

LT/1

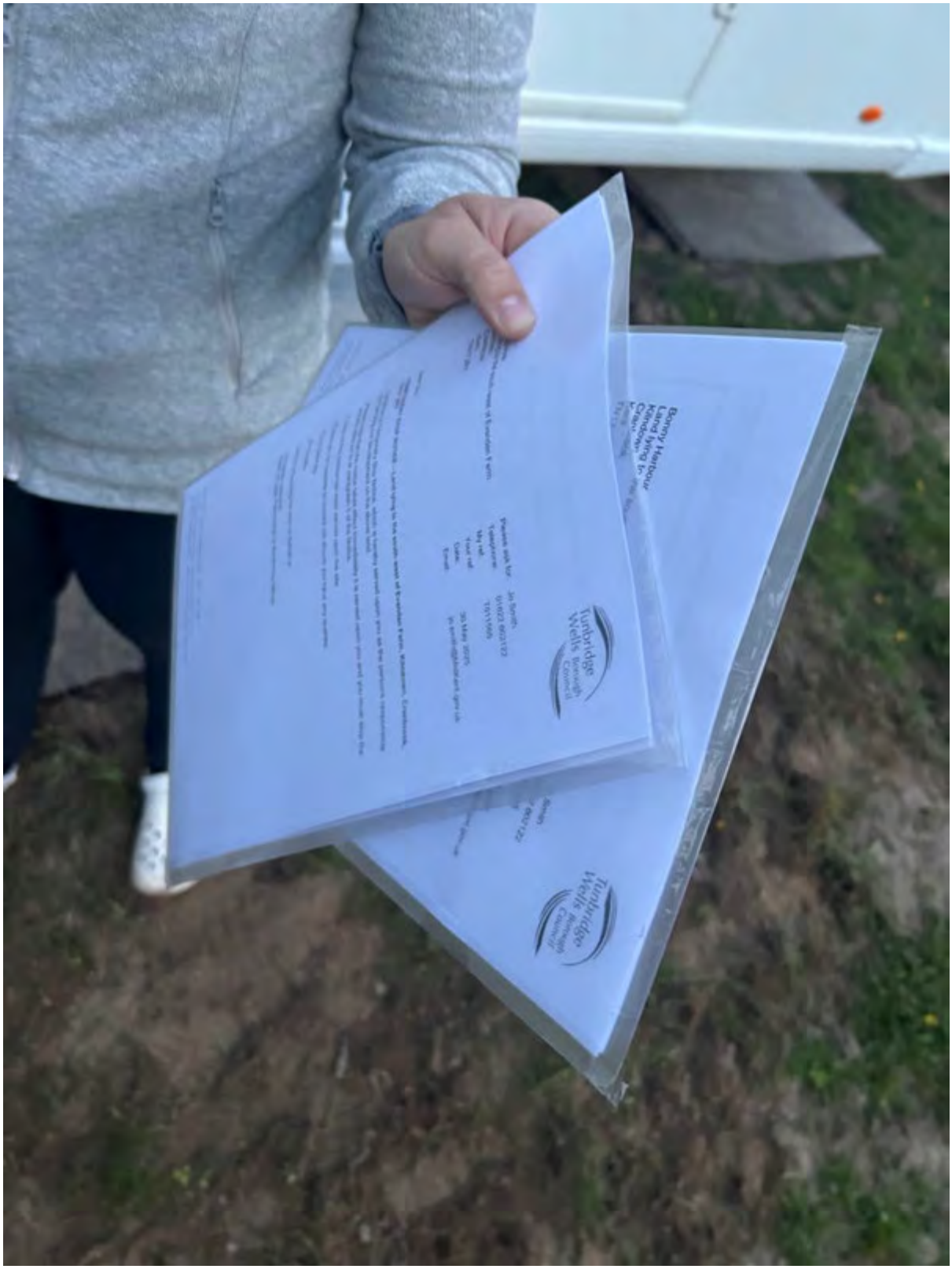
LT/2


Challenger
Keith Jeeves
Land lying to the south-west of Everden Farm
Iden Green
Cranbrook
Kent
TN17 2RT
Dear Sirs
TEMPORARY STOP NOTICE – Land lying to the south-west of Everden Farm
TN17 2RT
Yours faithfully
Lawyer (Planning) for and on behalf of
Claudette Valmond
Head of Legal Partnership & Monitoring Officer

LT/3



LT/4


Tunbridge Wells Borough Council
Tunbridge Wells Borough Council

LT/5

LT/6

LT/7

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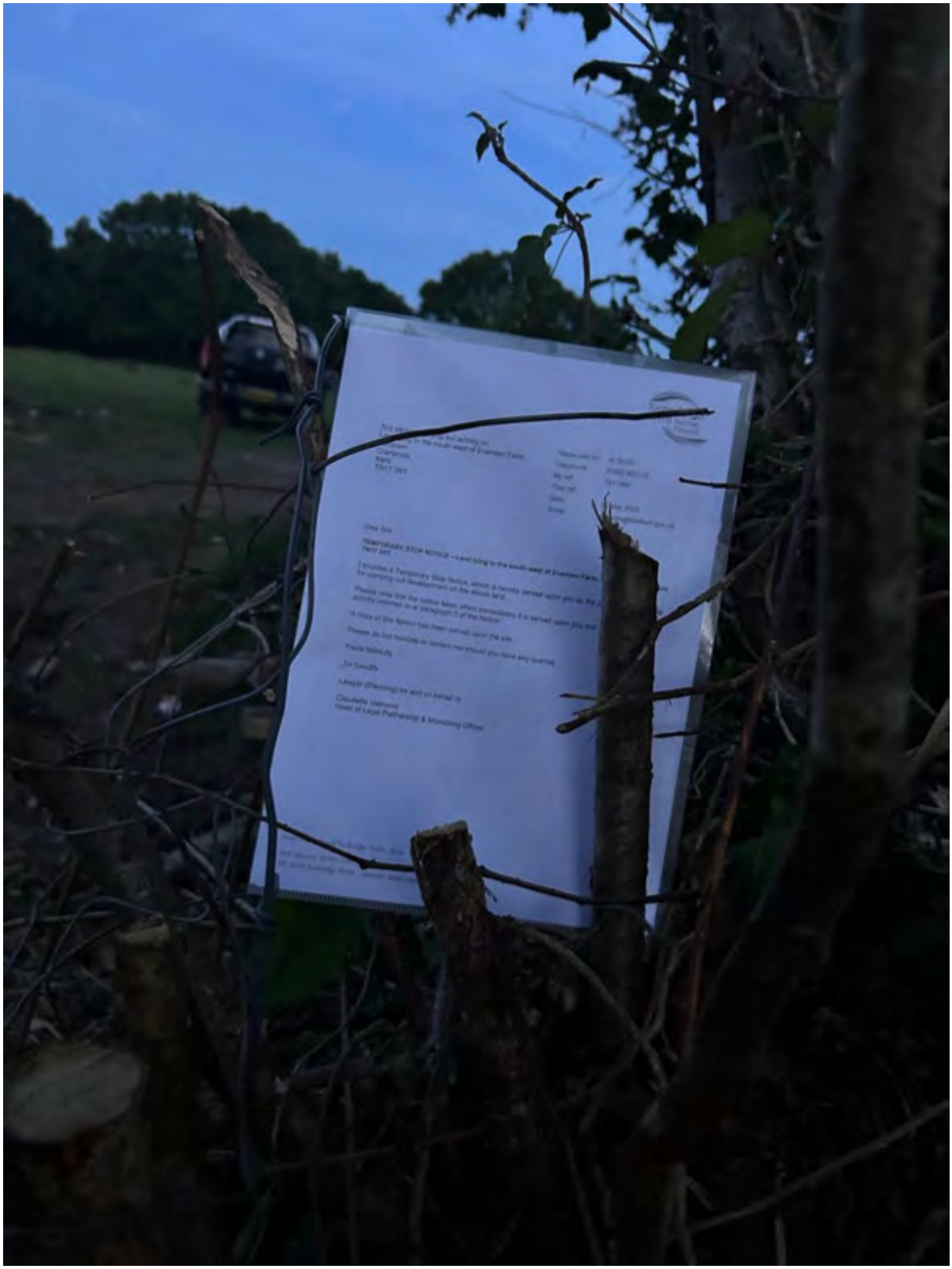
LT/10

LT/11

LT/12

LT/13

LT/14

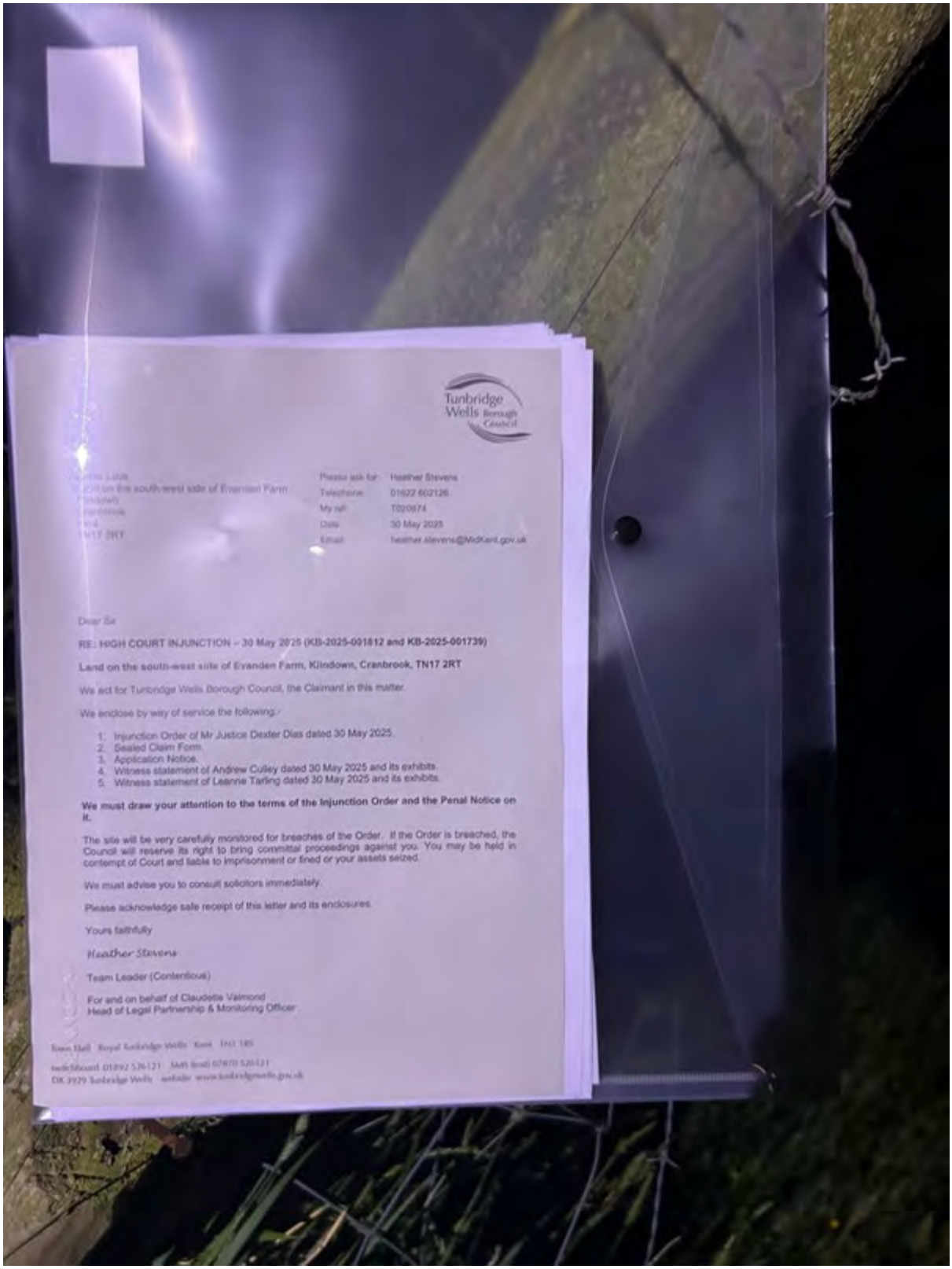


LT/15

LT/16

LT/17

LT/18



Tunbridge Wells Borough Council

Please ask for: Heather Stevens
Telephone: 01622 602126
My ref: T020974
Date: 30 May 2025
Email: heather.stevens@MidKent.gov.uk

Dear Sir

RE: HIGH COURT INJUNCTION – 30 May 2025 (KB-2025-001812 and KB-2025-001739)

Land on the south-west side of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

We act for Tunbridge Wells Borough Council, the Claimant in this matter.

We enclose by way of service the following:-

1. Injunction Order of Mr Justice Dexter Dias dated 30 May 2025.
2. Sealed Claim Form.
3. Application Notice.
4. Witness statement of Andrew Culley dated 30 May 2025 and its exhibits.
5. Witness statement of Leanne Tarling dated 30 May 2025 and its exhibits.

We must draw your attention to the terms of the Injunction Order and the Penal Notice on it.

The site will be very carefully monitored for breaches of the Order. If the Order is breached, the Council will reserve its right to bring committal proceedings against you. You may be held in contempt of Court and liable to imprisonment or fined or your assets seized.

We must advise you to consult solicitors immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours faithfully

Heather Stevens

Team Leader (Contentious)

For and on behalf of Claudette Valmond
Head of Legal Partnership & Monitoring Officer

Town Hall Royal Tunbridge Wells Kent TN1 1RS
switchboard 01892 526121 SMS (text) 07870 520121
DX 3929 Tunbridge Wells website www.tunbridgewells.gov.uk

LT/19

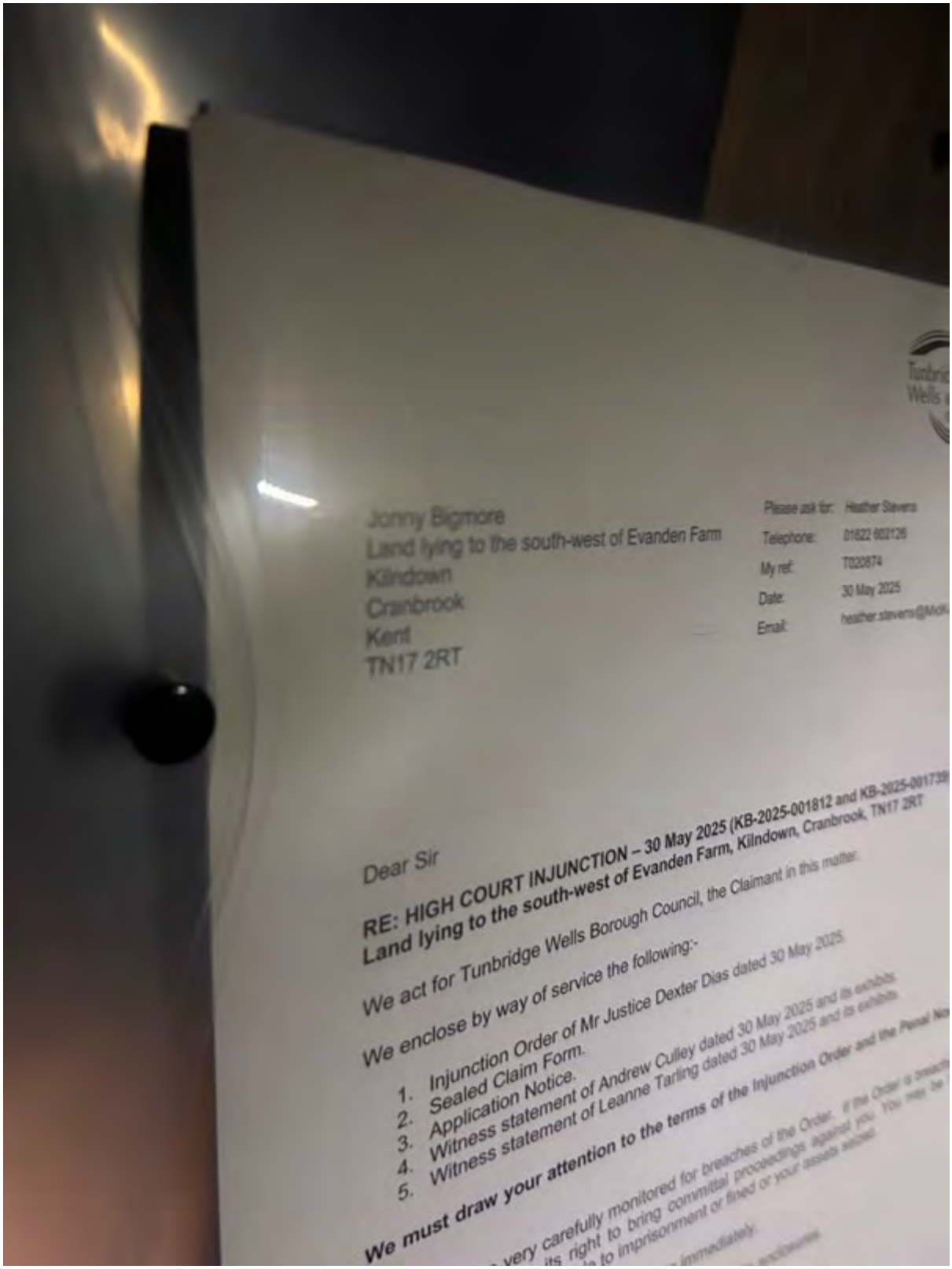
LT/20

LT/21

LT/22

LT/23

LT/24



Jonny Bigmore
Land lying to the south-west of Evanden Farm
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: Heather Stevens
Telephone: 01622 602126
My ref: T020874
Date: 30 May 2025
Email: heather.stevens@Mid

Dear Sir

RE: HIGH COURT INJUNCTION – 30 May 2025 (KB-2025-001812 and KB-2025-001739)
Land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

We act for Tunbridge Wells Borough Council, the Claimant in this matter.

We enclose by way of service the following:-

1. Injunction Order of Mr Justice Dexter Dias dated 30 May 2025.
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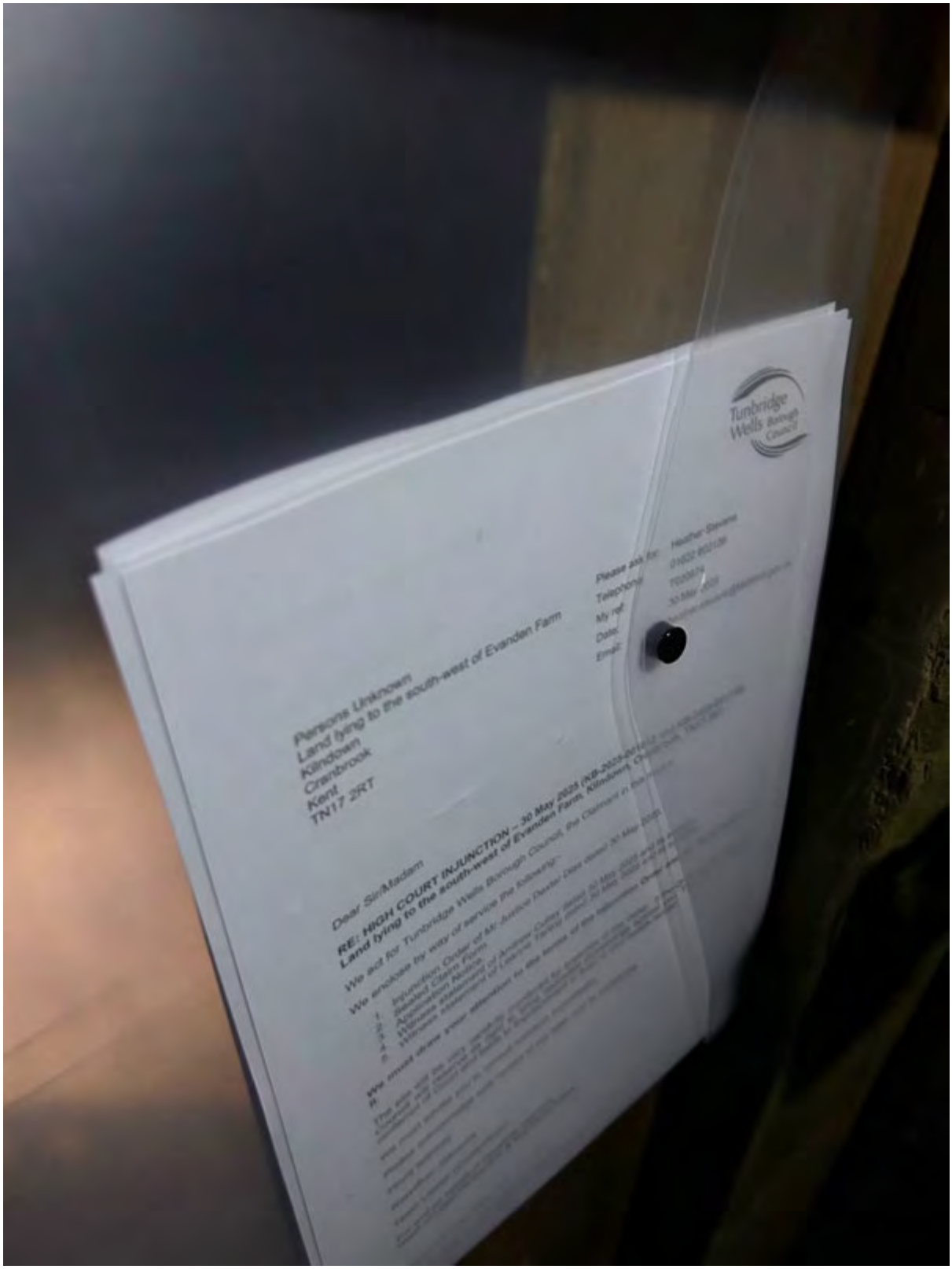
3. Application Notice.
4. Witness statement of Andrew Culley dated 30 May 2025 and its exhibits.
5. Witness statement of Leanne Tarling dated 30 May 2025 and its exhibits.

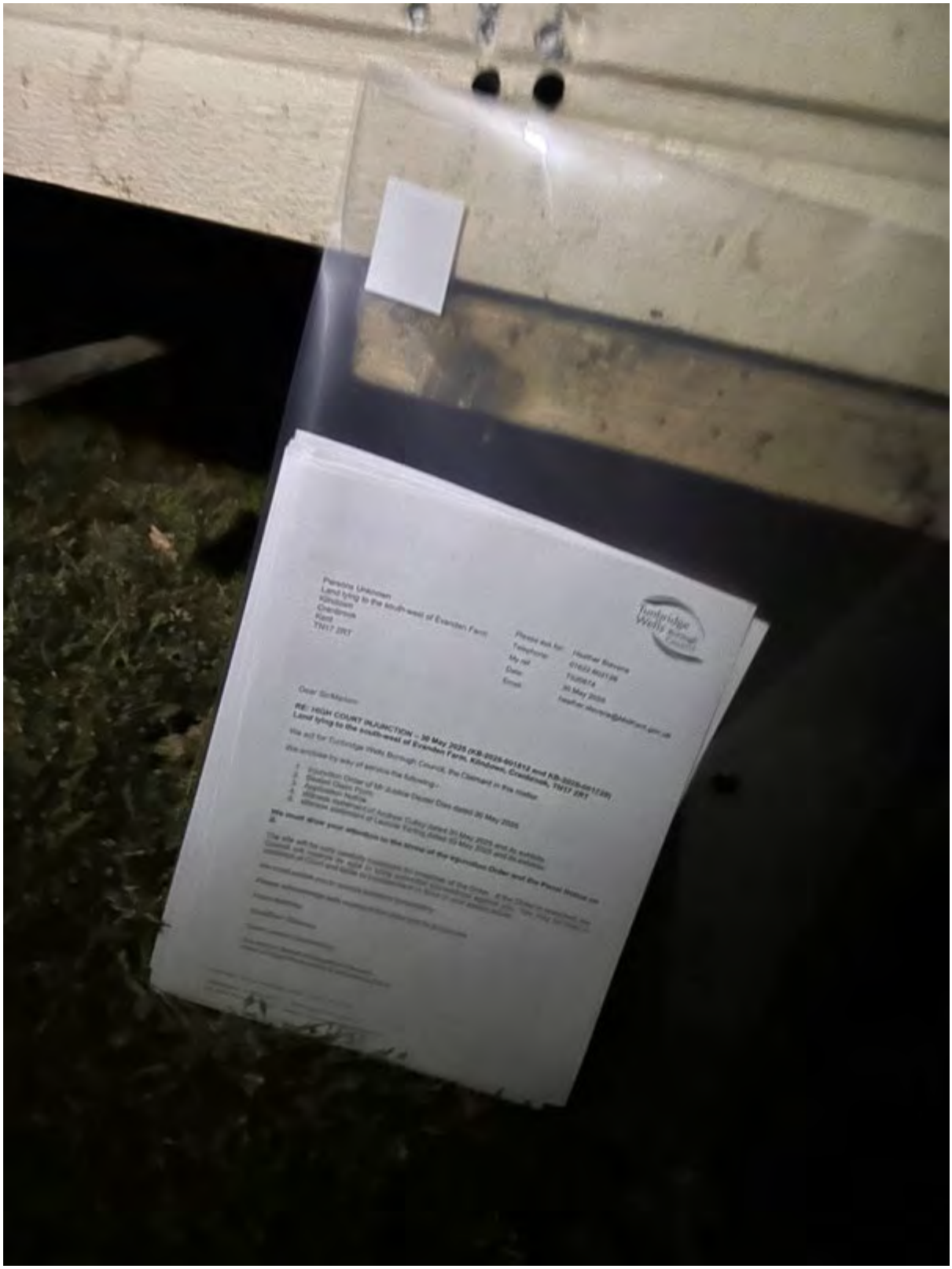
We must draw your attention to the terms of the Injunction Order and the Penal No

very carefully monitored for breaches of the Order. If the Order is breach
its right to bring committal proceedings against you. You may be
to imprisonment or fined or your assets seized.
immediately.

LT/25


Tunbridge Wells Borough Council
Please ask for:
Telephone:
My ref:
Date:
Email:
Persons Unknown
Land lying to the south-west of Evanden Farm
Kilndown
Cranbrook
Kent
TN17 2RT
Dear Sir/Madam
RE: HIGH COURT INJUNCTION – 30 May 2025
Land lying to the south-west of Evanden Farm, Kilndown

LT/26


Persons Unknown
Land lying to the south-west of Evenden Farm
Kilndown
Cranbrook
Kent
TN17 2RT
Please ask for:
Telephone:
My ref:
Date:
Email:
Tunbridge Wells Borough Council
Dear Sir/Madam
RE: HIGH COURT INJUNCTION :: 30 May 2025 (KB-2025-001413 and KB-2025-001739)
Land lying to the south-west of Evenden Farm, Kilndown, Cranbrook, TN17 2RT
We act for Tunbridge Wells Borough Council, the Claimant in the matter
this envelope by way of service the following:-
1. Injunction Order of Mr Justice Dexter Dias dated 30 May 2025
2. Sealed Claim Form
3. Application Notice
4. Witness statement of Andrew Cutler dated 30 May 2025
5. Witness statement of Leonie Farling dated 30 May 2025
We must draw your attention to the threat at the injunction Order and the Penal Notice on
it.
The site with the visibly massive hedgerows on most side of the Order. If the Order is breached, the
Council will consider the need to take enforcement action against you. You may be held to be
contempt of Court and liable to imprisonment or fines or your assets seized.
Please acknowledgement receipt of this letter and the documents by return.
Yours faithfully
Heather Stevens
Senior Enforcement Officer
Tunbridge Wells Borough Council
Heather.stevens@tunbridge.gov.uk

LT/27

LT/28

LT/29

Back to results

Tunbridge Wells Borough Council - Housing Needs

Contact details

Tunbridge Wells Borough Council - Housing Needs
The Amelia Scott, Civic Way
(https://theamelia.co.uk/visiting-the-amelia/. Please note there is limited advice available in person)
Tunbridge Wells
TN1 1JN

Public phone: 01892 526121

Email: housingadvice@tunbridgewells.gov.uk

Website URL: http://www.tunbridgewells.gov.uk

General information

Service offered: We provide housing advice and information to private and housing association tenants, and people facing homelessness. We operate Tunbridge Wells Borough Council's housing register Out of hours emergencies call 01892 526121.

Target group: People wanting housing advice

Area served: Tunbridge Wells Borough Council area.

How to contact: Phone [01892 526121] advice provided in most cases.

Availability

Monday: 9am - 6pm

Tuesday: 9am - 6pm

Wednesday: 9am - 6pm

Thursday: 9am - 6pm

Friday: 9am - 5pm

Weekends: Sat 9 am–5 pm + Sun 10am-4pm / Closed Bank Holidays, Christmas Day and New Years Day Closed

Office Hours: Mon-Fri 9am-5pm + Weekend Out of hours service for emergencies only

Accessibility

Wheelchair access: Yes - full

Accessible toilets: Yes

Access notes: The Amelia has no parking for disabled people as is in a pedestrianized area. Building is wheelchair accessible and wheelchair accessible car parks are within a short distance. Loop system. Access to BSL signers. No face-to-face housing service at the moment

Other information

Languages other than English: Language Line and BSL.

Charity number:

Year established: 0

Staffing: Housing Services Manager, Housing & Enabling officer, Housing Options Team Leader, Allocations Team Leader, Accommodation Team Leader, Allocations Officers, Housing Options Advisors, Tenancy Officers, Private rented Officers, Housing Register Assistant.

Public transport: Tunbridge Wells train station - 5 minutes walk.

Record last checked: 21 August 2024

Map

LT/30

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compulsory Purchase Act 2004)

TEMPORARY STOP NOTICE

SERVED BY: **Tunbridge Wells Borough Council, herein after referred to as "the Council".**

To:

(1) Keith Jeeves of 22 Hibbs Close, Swanley BR8 7FA and land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

(2) Jonny Bigmore of land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

(3) Bonny Harbour of land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

(4) Any other person carrying out activity as described in paragraph 5 below on land lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT

1. The Council considers that there has been a breach of planning control on the land described in paragraph 3 below. The breach of planning control is the material change of use of the land from agricultural land, to land used for the stationing of caravans intended for residential occupation.

2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

3. THE REASONS FOR ISSUING THIS NOTICE

The area of land the subject of this Temporary Stop Notice is within the High Weald National Landscape (HWNL) area which is the subject of national protection.

The unlawful development is in the form of stationing of caravans and associated works for the purposes of residential occupation.

The reasons for issuing this notice are:

- The unauthorised development causes significant harm to the rural character of the area and has more than a minimal impact on the landscape character of the locality. It causes significant harm to the character and appearance of the countryside, the

setting of the rural lane and fails to conserve and enhance the landscape and scenic beauty of the High Weald National Landscape.

- The unauthorised development poses a risk to highway safety as the necessary visibility splays are not in place.

This notice is served having regard to The Town and Country Planning (Temporary Stop Notice) (England) (Revocation) Regulations 2013.

4. THE LAND TO WHICH THIS NOTICE RELATES

Land to lying to the south-west of Evanden Farm, Kilndown, Cranbrook, TN17 2RT shown edged in red on the attached plan.

5. ACTIVITY TO WHICH THIS NOTICE RELATES

Any activity relating to the bringing on and/or the stationing of any caravans, including static caravans, touring caravans, mobile homes and/or any residential occupation.

6. WHAT YOU ARE REQUIRED TO DO

Cease all the activity specified in part (5) of this notice.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **30th May 2025** when all the activity specified in paragraph 5 of this notice must cease. This notice will cease to have effect on 25th July 2025.

Dated: 30th May 2025

Signed:

Carlos Hone
Head of Planning Services
On behalf of Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent
TN1 1RS

Nominated Officer: Carlos Hone

Telephone Number: 01892 554458

LT/32

ANNEX

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a Temporary Stop Notice after a Site Notice has been displayed or the Temporary Stop Notice has been served on you (section 171G(1) of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution**, for which the maximum penalty on conviction is **an unlimited fine.**

If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Carlos Hone (Head of Planning) Town Hall, Tunbridge Wells, Kent TN1 1RS 01892 554458. If you need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review.

LT/33

Statement on behalf of the
Claimant
Witness: Terry Hughes
1st Statement
Dated: 03.06.2025
Exhibits: TH/01-TH/03

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812 / KB-2025-001739**

BETWEEN:-

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

-and-

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

WITNESS STATEMENT OF TERRY HUGHES

I, Terry Hughes, Community Safety Manager for Tunbridge Wells Borough Council, will say as follows:

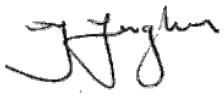
1. At 11:10 AM on 3 June 2025 I attended an encampment occupying land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent for the purpose of undertaking a Welfare Check/Human Rights Assessment on the occupants residing on the land.

2. I spoke with the adult male occupant in the mobile home identified as Number 1 on the site plan (Exhibit TH/01). Together with the adult male occupant I completed a welfare check (Exhibit TH/02).

3. I then spoke with the adult male occupant in the touring caravan identified as Number 2 on the site plan (Exhibit TH/01). Together with the adult male occupant I completed a welfare check (Exhibit TH/03).

4. I left the site around 11:50 AM

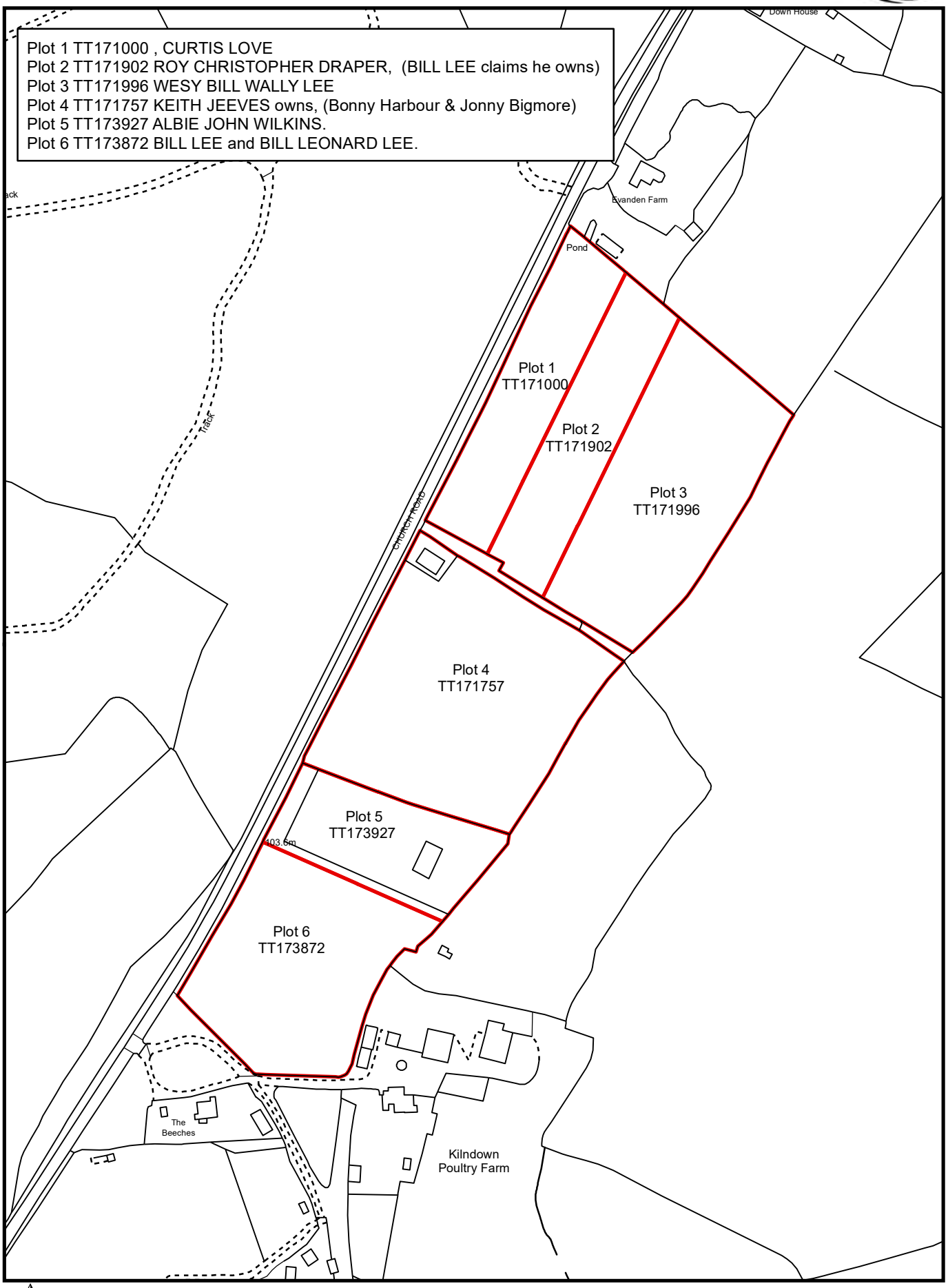
I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: 

Dated: 3 June 2025

AC126 Plots 1-6 with legend

Tunbridge Wells Borough Council



Scale 1:2,500

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Map Dated: May 2025

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 18 MAY 2026 AT 11:52:43. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171000

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land on the south-west side of Evanden Farm, Kilndown, Cranbrook (TN17 2RT).

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (08.08.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 8 August 2024 made between (1) Michael Larter and (2) Curtis Love but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

4 (08.08.2024) The Transfer dated 8 August 2024 referred to above contains a provision as to light or air and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (08.08.2024) PROPRIETOR: CURTIS LOVE of The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE.

2 (08.08.2024) The price stated to have been paid on 8 August 2024 was £60,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner

C: Charges Register continued

for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan. The position of the drain shown by a green line referred to does not affect the land in this title.

2 The land is subject to any rights that are granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft.

NOTE:-Copy filed under K366235.

3 (14.05.2004) The land is subject to the rights reserved by a Transfer of land lying to the east of the land in this title dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 AUG 2025 AT 08:07:11. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171902

There is/are applications(s) pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the south-east side of Church Road, Kilndown, Cranbrook (TN17 2RT).

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (06.09.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 4 September 2024 made between (1) Michael Larter and (2) Roy Christopher Draper but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

4 (06.09.2024) The Transfer dated 4 September 2024 referred to above contains provisions as to light or air and boundary structures and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (06.09.2024) PROPRIETOR: ROY CHRISTOPHER DRAPER of Hill View, Meadow Lane, Runwell, Wickford SS11 7DX.

2 (06.09.2024) The price stated to have been paid on 4 September 2024 was £20,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land in this title and other land is subject to the following rights reserved by a Conveyance dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

C: Charges Register continued

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

...

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The position of the drain shown by a green line referred to is shown by a brown broken line on the filed plan.

2 The land is subject to any rights that are granted by a Deed of the land in this title and other land dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Deby Roberts and (3) Donald Royle Jackson Bancroft and affect the registered land.

NOTE: Copy filed under K366235.

3 (14.05.2004) The land in this title and other land is subject to the rights reserved by a Transfer of adjoining land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 18 MAY 2026 AT 11:59:38. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171996

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land lying to the south-east of Church Road, Kilndown, Cranbrook.

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (09.09.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 4 September 2024 made between (1) Michael Larter and (2) Wesy Bill Wally Lee but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

4 (09.09.2024) The Transfer dated 4 September 2024 referred to above contains provisions as to light or air and boundary structures and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (09.09.2024) PROPRIETOR: WESY BILL WALLY LEE of Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU.

2 (09.09.2024) The price stated to have been paid on 4 September 2024 was £18,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the following rights reserved by a Conveyance dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner

C: Charges Register continued

for the time being of the Vendors' adjoining land

.....

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The position of the drain shown by a green line referred to is shown by a brown broken line on the filed plan.

2 (09.09.2024) The land is subject to any rights that are granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft and affect the registered land.

NOTE: Copy filed under K366235.

3 (14.05.2004) The land in this title is subject to the rights reserved by a Transfer of adjoining land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 18 MAY 2026 AT 12:03:11. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT171757

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land lying to the south-west of Evanden Farm, Kilndown, Cranbrook (TN17 2RT).

2 (02.07.2004) The land has the benefit of the rights granted by a Transfer of the land in this title and other land dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Stewart Arnold and Heather Burns.

NOTE: Copy filed under K871684.

3 (08.08.2024) The land has the benefit of any legal easements reserved by a Transfer of the land lying to the north of the land in this title dated 8 August 2024 made between (1) Michael Larter and (2) Curtis Love but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed under TT171000.

4 (11.11.2024) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 23 August 2024 made between (1) Michael Larter and (2) Keith Jeeves but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.

5 (11.11.2024) The Transfer dated 23 August 2024 referred to above contains a provision as to light or air and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (03.09.2024) PROPRIETOR: KEITH JEEVES of 22 Hibbs Close, Swanley BR8 7FA.

2 (03.09.2024) The price stated to have been paid on 23 August 2024 was £138,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land subject to the following rights reserved by a Conveyance of the land in this title and other land dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof

AND SECONDLY the free passage and running of water and soil through the drain the approximate position of which is shown by a green line on the plan to the ditch at the southern end thereof and all necessary ancillary rights with regard to the inspection repair maintenance and replacement thereof."

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan. The position of the drain shown by a green line referred to does not affect the land in this title.

2 The land is subject to any rights that are granted by a Deed dated 8 October 1971 made between (1) Donald Royle Jackson Bancroft and Elizabeth Anne Rosetta Bancroft (2) William James Denby Roberts and (3) Donald Royle Jackson Bancroft.

NOTE:-Copy filed under K366235.

3 (14.05.2004) The land is subject to the rights reserved by a Transfer of land on the north east side of the land in this title dated 4 May 2004 made between (1) Christopher Graham Ballenden, Morar Ballenden and Peter Stephen Vaines and (2) Mandy Diane Galloway and Jonathan Boulton.

NOTE: Copy filed under K869663.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 18 MAY 2026 AT 12:08:03. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT173927

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the south-east side of Church Road, Kilndown, Cranbrook.

2 (03.09.2024) The land has the benefit of any legal easements reserved by a Transfer of the land on the north side of the land in this title dated 23 August 2023 made between (1) Michael Larter and (2) Keith Jeeves but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed under TT171757.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (06.11.2024) PROPRIETOR: ALBIE JOHN WILKINS of Hawksbill, Morley Lane, Bicker, Boston PE20 3DP.

2 (06.11.2024) The price stated to have been paid on 29 October 2024 was £25,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the following rights reserved by a Conveyance dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof"

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan.

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 18 MAY 2026 AT 12:09:09. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT173872

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the south-east side of Church Road, Kilndown, Cranbrook.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (05.11.2024) PROPRIETOR: BILL LEE and BILL LEONARD LEE of Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU.

2 (05.11.2024) The price stated to have been paid on 4 November 2024 was £35,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the following rights reserved by a Conveyance dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof"

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan.

End of register

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE

ISSUED BY: TUNBRIDGE WELLS BOROUGH COUNCIL (the "Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act at the Land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the Development Plan and to other material planning considerations. The Annex at the end of this Notice and the enclosures to which it refers contain important additional information.

2. THE LAND AFFECTED

Land on the South East side of Church Road, Kilndown, Cranbrook, Kent (also known as land Between Kilndown Poultry Farm and Evanden Farm) ("the Land")

3. THE BREACH OF PLANNING CONTROL ALLEGED

The material change of use of Land to the stationing of a mobile home for residential purposes including the installation of an underground foul water treatment unit, residential style fencing, and the laying of hard standing.

4. REASONS FOR ISSUING THIS NOTICE

(i) It appears to the Council that the breach of control referred to above has occurred within the last ten years (Section 171B(1))

(ii) The development causes significant harm to the character and appearance of the countryside, the setting of the rural lane and fails to conserve and enhance the special landscape and scenic beauty of the High Weald National Landscape. As such the proposal would be contrary to Paragraphs 187 and 189 of the National Planning Policy Framework 2024 (amended 2025), Paragraphs 26 and 27 of the Planning Policy for Traveller Sites 2024, Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010,Tunbridge Wells Borough Submission Local Plan 2021 Policies STR1 STR8, , EN1, EN12, EN13, EN18, EN19 and EN20, and Policies L1, L4, L6, L7 and T3 of the Goudhurst Neighbourhood Development Plan. The proposal also conflicts with the objectives of the High Weald Area of Outstanding Natural Beauty Management Plan and Rural Lanes SPD.

(iii) There is insufficient evidence before the Local Planning Authority for it to be satisfied that the development does not have a detrimental impact upon the biodiversity of the site, including protected species and those of nearby Sites of Special Scientific Interest which is part of an area of Ancient Woodland. No ecological survey/s or biodiversity net gain calculations have been submitted in relation to the development and therefore it is not possible for the Local Planning Authority to assess the ecological impact of development and whether it would result in harm to any protected species, habitats, or whether it would achieve biodiversity net gain. As such, the development is contrary to Paragraphs 192 and 193 of the National Planning Policy Framework 2024 (amended 2025), Policy EN1 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010, Policies ENV1, EN9, EN12, EN13, EN18 & EN19 of the Tunbridge Wells Borough Submission Local Plan 2021 and Policies L1, L4, L6 and L7 of the Goudhurst Neighbourhood Development Plan.

(iv) There is insufficient evidence before the Local Planning Authority for it be satisfied that the development does not pose a risk to highway safety or if visibility splays to highway standards can be achieved contrary to Policy T4 of the Tunbridge Wells Borough Local Plan 2006, Policy TR2 of the Tunbridge Wells Submission Local Plan 2021, Policy T3 of the Goudhurst Neighbourhood Development Plan and paragraphs 115 and 116 of the National Planning Policy Framework 2024 (amended 2025).

5. WHAT YOU ARE REQUIRED TO DO

(i) Cease the residential use of the Land.

(ii) Remove all mobile homes, caravans and trailers from the Land.

(iii) Remove all domestic and commercial vehicles from the Land.

(iv) Remove the foul water treatment plant and generator from the Land.

(v) Remove all fencing from the Land.

(vi) Remove all hard standings and hardcore from the Land.

(vii) Remove from the Land any resultant materials, rubbish and rubble arising from compliance with steps (i) to (vi) above.

(viii) Reinstate the Land back to its previous condition including infilling the excavation for the foul treatment plant with top soil.

6. TIME FOR COMPLIANCE

Six (6) months from when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 20 June 2025 unless an appeal is made against it beforehand.

ISSUED: 16 May 2025

SIGNED:

Claudette Valmond
Head of Mid Kent Legal Partnership
On behalf of Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent
TN1 1RS

Ref:JS/T020875

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the Notice.

FEE PAYABLE FOR THE DEEMED APPLICATION

If you make an appeal against this Notice under ground (a) 'that planning permission should be granted' the deemed application fee is £1,176 (being twice the amount of the usual fee payable in respect of an application for planning permission).

The fee for a Ground (a) Appeal can be paid by an on-line payment via this link www.tunbridgewells.gov.uk/planning/applications/pay ensuring that you state that it is for an appeal fee and quote the appeal reference and address of the site.

Please see the enclosed notes for guidance from the Planning Inspectorate.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required step(s) for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

Enforcement Notice

Land on the South East side of Church Road, Kilndown, Cranbrook, Kent (also known as land Between Kilndown Poultry Farm and Evanden Farm)

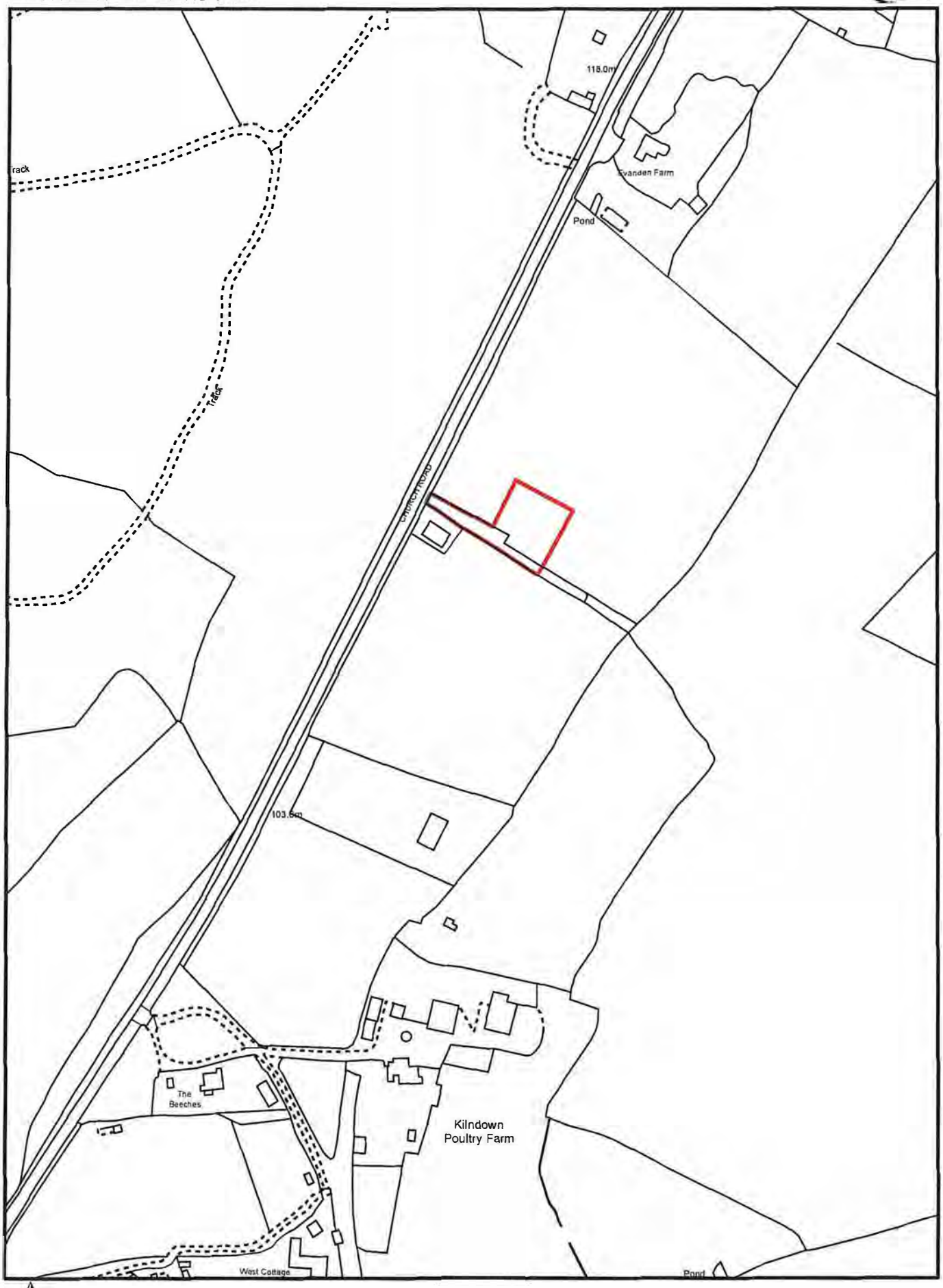
List of Persons Served

Name	Address 1	Address 2
Michael Larter	73 Derwent Road Tonbridge TN10 3HX	Land on the South East side of Church Road Kilndown Cranbrook Kent
Mr Bill Lee	Land on the South East side of Church Road Kilndown Cranbrook Kent	
The Owner(s)	Land on the South East side of Church Road Kilndown Cranbrook Kent	
The Occupier(s)	Land on the South East side of Church Road Kilndown Cranbrook Kent	
Any other person with an interest in:	Land on the South East side of Church Road Kilndown Cranbrook Kent	

ENFORCEMENT NOTICE

LAND PLOT 1A BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN

Tunbridge Wells Borough Council



Scale 1:2,500

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Map Dated: May 2025

The Planning Inspectorate

CST Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (https://acp.planninginspectorate.gov.uk/); or

- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

ISSUED BY: TUNBRIDGE WELLS BOROUGH COUNCIL ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act at the Land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the Development Plan and to other material planning considerations. The Annex at the end of this Notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land")

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission the creation of an access, the removal of hedgerow and laying of hardcore.

4. **REASONS FOR ISSUING THIS NOTICE**

(i) It appears to the Council that the breach of control referred to above has occurred within the last four years (Section 171B(1))

(ii) The development causes significant harm to the rural character of the area and has more than a minimal impact on the landscape character of the locality. It causes significant harm to the character and appearance of the countryside, the setting of the rural lane and fails to conserve and enhance the landscape and scenic beauty of the High Weald National Landscape. As such the proposal would be contrary to Paragraphs 187 and 189 of the National Planning Policy Framework 2024 (amended 2025), Policies LBD1, EN1, EN25, and T4 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 3, 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010,Tunbridge Wells Borough Submission Local Plan 2021 Policies STR1 STR8, EN1, EN12, EN13, EN18, EN19 and EN20, and Policies L1, L4, L6, L7 and T3 of the Goudhurst Neighbourhood Development Plan. The proposal also conflicts with the objectives of the High Weald Area of Outstanding Natural Beauty Management Plan and Rural Lanes SPD.

(iii) There is insufficient evidence before the Local Planning Authority for it to be satisfied that the development does not have a detrimental impact upon the biodiversity of the site, including protected species and those of nearby Sites of Special Scientific Interest which is part of an area of Ancient Woodland. No ecological survey/s or biodiversity net gain calculations have been submitted in relation to the development and therefore it is not possible for the Local Planning Authority to assess the ecological impact of development and whether it would result in harm to a species, habitats or achieve biodiversity net gain. As such, the development is contrary to Paragraphs 192 and 193 of the National Planning Policy Framework 2024 (amended 2025), Policy EN1 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010, Policies ENV1, EN9, EN12, EN13, EN18 & EN19 of the Tunbridge Wells Borough Submission Local Plan 2021 and Policies L1, L4, L6 and L7 of the Goudhurst Neighbourhood Development Plan.

(iv) There is insufficient evidence before the Local Planning Authority for it be satisfied that the development does not pose a risk to highway safety as it is not clear if the necessary visibility splays can be achieved contrary to Policy T4 of the Tunbridge Wells Borough Local Plan 2006, Policy TR2 of the Tunbridge Wells Submission Local Plan 2021,Policy T3 of the Goudhurst Neighbourhood Development Plan and paragraphs 115 and 116 of the National Planning Policy Framework 2024 (amended 2025)

5. WHAT YOU ARE REQUIRED TO DO

(i) Permanently cease use of the access point shown in its approximate location marked ‘A’ on the attached plan for vehicular traffic.

(ii) Permanently remove all hardcore, wooden posts and wire fencing from the access point shown in its approximate location marked ‘A’ on the attached plan.

(iii) Permanently close the access shown in its approximate location and reinstate the hedge by planting 3-year-old transplanted seedling of 30cm of Hazel (10%), Hawthorn (70%), Field Maple (10%), Hornbeam (5%) and Dog Rose (5%)in a double staggered, rows at 600mm centres. The individual plants should be supported using a cane and protected with a spiral guard, with the whole of the new hedge being protected by stock fencing to aid establishment and the hedge shall be retained as such. This must be done during the next planting season. Within three years from the date of planting, and in the event of the any plants failing, the plants will require replacement until successfully established in accordance with BS 8545:2014.

6. TIME FOR COMPLIANCE

For requirement (i) above one (1) month.

For requirement (ii) above three (3) months.

For requirement (iii) above the next planting season will be end of October 2025 to start of January 2026.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 20 June 2025 unless an appeal is made against it beforehand.

ISSUED: 16 May 2025

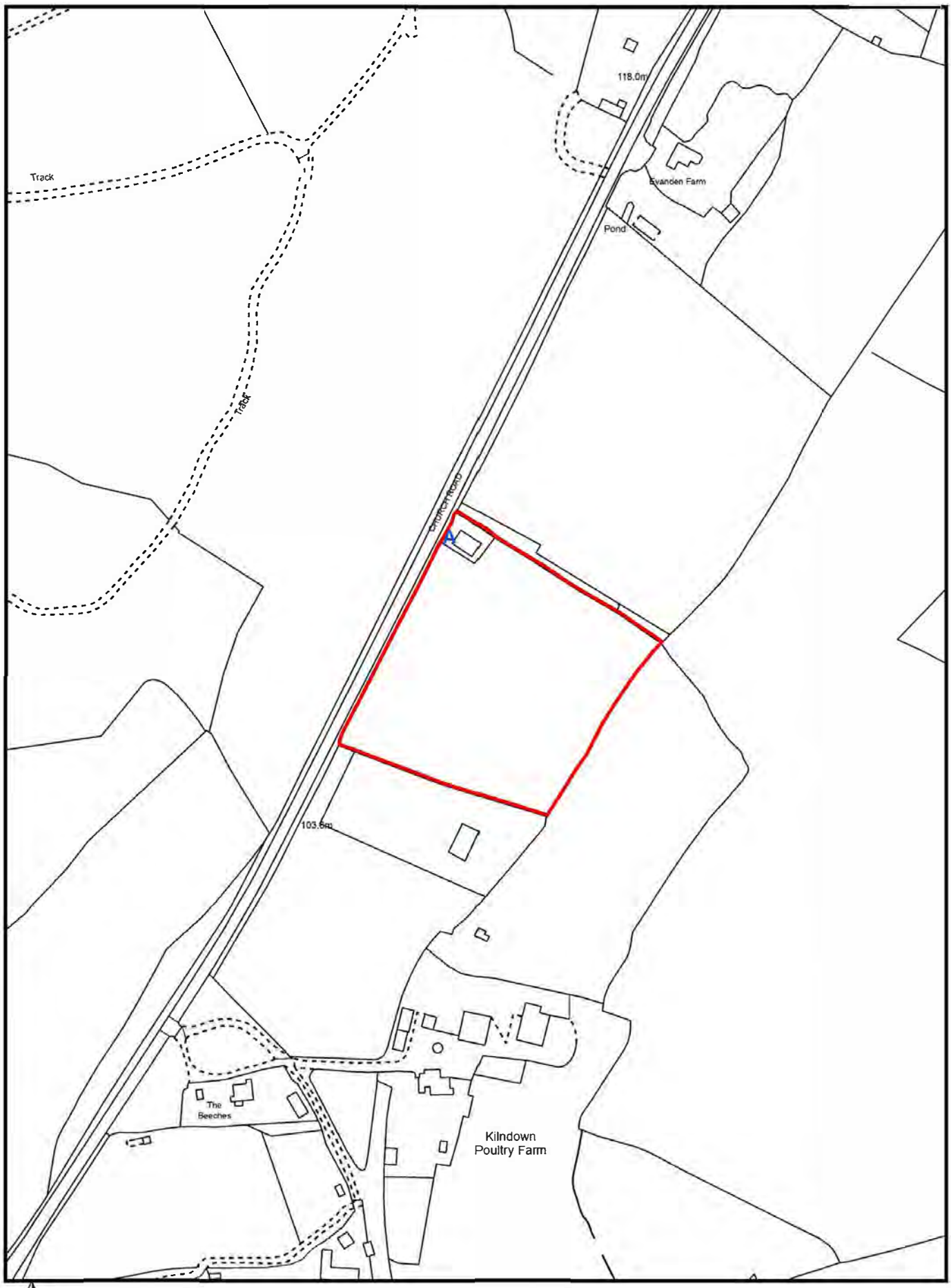
SIGNED:

Claudette Valmond
Head of Mid Kent Legal Partnership
On behalf of Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent
TN1 1RS

Ref: JS/T020331

25/00094/OPDEV - LAND BETWEEN KILNDOWN POULTRY FARM & EVANDEN FARM
CHURCH ROAD KILNDOWN

Tunbridge Wells Borough Council



Scale 1:2,500

© Crown copyright and database rights 2023 Ordnance Survey AC0000821260

Map Dated: May 2025

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the Notice. The enclosed information sheet explains how you can make an appeal.

FEE PAYABLE FOR THE DEEMED APPLICATION

If you make an appeal against this Notice under ground (a) 'that planning permission should be granted' the deemed application fee is £596 (being twice the amount of the usual fee payable in respect of an application for planning permission).

The fee for a Ground (a) Appeal can be paid by an on-line payment via this link

www.tunbridgewells.gov.uk/planning/applications/pay ensuring that you state that it is for an appeal fee and quote the appeal reference and address of the site.

Please see the enclosed notes for guidance from the Planning Inspectorate.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required step(s) for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

The Planning Inspectorate

CST Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (https://acp.planninginspectorate.gov.uk/); or

- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

Enforcement Notice

Land at Kilndown Poultry Farm and Evanden Farm
Church Road
Kilndown
Cranbrook
TN17 2RT

List of Persons Served

Name	**Address 1**	**Address 2**
Keith Jeeves	22 Hibbs Close Swanley Kent BR8 7FA	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT
The Owner	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	
The Occupier	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	
Any other person with an interest in	Land at Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	

From: Ethan Murphy <Ethan.Murphy@TunbridgeWells.gov.uk> AC135 Email not proceeding
Sent: 13 Oct 2025 02:02:13
To: ME@TunbridgeWells.gov.uk
Cc:
Subject: FW: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown
Attachments:

From: Planning Validation (TWBC)
Sent: Friday, September 12, 2025 12:14 PM
To: Stuart Carruthers <stuarthcarruthers@gmail.com>
Subject: RE: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown

Dear Stuart,

Following a number of emails, the issues that make this application invalid remain. Given no progress has been made in resolving these, this application will be closed. A refund of £588 minus a £40 admin fee will be dispatched in due course.

Kind regards,

The Planning Validation Team

From: Stuart Carruthers <stuarthcarruthers@gmail.com>
Sent: Thursday, September 4, 2025 9:24 AM
To: Planning Validation (TWBC) <PlanningValidation@TunbridgeWells.gov.uk>
Subject: Re: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.
Hello

Thought had already forward this .. everything should now be OK

Stuart H CARRUTHERS
t: 01502 719 731

On Wed, 13 Aug 2025 at 16:54, Planning Validation (TWBC) <PlanningValidation@tunbridgewells.gov.uk> wrote:

Dear Stuart,

Thank you for your email. There appear to still be errors within this drawing:

1. On the North elevation there is now featured what appears to be an additional overlapping drawing (see screenshot 1)

2. The North elevation continues to not match the floor plans. At present the the floor plan does not match the elevation but has rather flipped it. Please see screenshot 2 that indicates what this should (roughly) appear as on the floor plans to match the currently provided elevations

Further to this, when measuring these plans there appears to be a discrepancy between the size of this mobile home on the proposed block plan in comparision to the proposed floor plans & elevations. The floor plan of the mobile home appear to measure at around 14.5m (see screenshot 3) whilst these appear to be roughly 12m in length on the block plan (see screenshot 4). Please confirm the measurements of the mobile home to be placed at this site and ensure that these measurements match on both the floor plan & the block plan.

We would also accept a manufacture's brochure of the proposed mobile homes, or annotated images of these homes that feature details of these measurements.

We also ask that you confirm that the floor plans & elevations provided are for all three of the proposed mobile homes.

Thank you for your patience,

The Planning Validation Team

From: Stuart Carruthers <stuarthcarruthers@gmail.com>
Sent: Thursday, August 7, 2025 2:35 PM
To: Planning Validation (TWBC) <PlanningValidation@TunbridgeWells.gov.uk>
Subject: Fwd: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.
Attached r5

I have been through this with a toothcomb.. and can find no errors now.

Stuart H CARRUTHERS
t: 01502 719 731

---------- Forwarded message ---------
From: **Planning Validation (TWBC)** <PlanningValidation@tunbridgewells.gov.uk>
Date: Thu, 31 Jul 2025 at 16:45
Subject: RE: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown
To: Stuart Carruthers <stuarthcarruthers@gmail.com>

Dear Stuart,

Thank you for this updated plan. The floor plan & the south elevation continue to not match. Please can these be amended.

Kind regards,

The Planning Validation Team

From: Stuart Carruthers <stuarthcarruthers@gmail.com>
Sent: Sunday, July 27, 2025 8:44 PM
To: Planning Validation (TWBC) <PlanningValidation@TunbridgeWells.gov.uk>
Subject: Fwd: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown

> **CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Hello

Have amended the drawing as requested

Stuart H CARRUTHERS
t: 01502 719 731

---------- Forwarded message ---------
From: **Planning Validation (TWBC)** <PlanningValidation@tunbridgewells.gov.uk>
Date: Thu, 17 Jul 2025 at 14:53
Subject: RE: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown
To: Stuart Carruthers <stuarthcarruthers@gmail.com>

Dear Stuart,
Thank you for forwarding this amended plan.
Unfortunately this plan appears to not match. The bow window cannot appear in the same position on both the north and south elevations. Where it is featured on one end for the north, it should feature on the opposite end for the south. The doors

& windows featured on the northern elevation also appear to not match those provided on the floor plans. Please amend these drawings.
Kind regards,
The Planning Validation Team

From: Stuart Carruthers <stuarthcarruthers@gmail.com>
Sent: Tuesday, July 15, 2025 8:50 AM
To: Planning Validation (TWBC) <PlanningValidation@TunbridgeWells.gov.uk>
Subject: Fwd: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown

> **CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Attached

wbw

Stuart H CARRUTHERS
t: 01502 719 731

---------- Forwarded message ---------
From: **Planning Validation (TWBC)** <PlanningValidation@tunbridgewells.gov.uk>
Date: Fri, 11 Jul 2025 at 16:34
Subject: RE: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown
To: Stuart Carruthers <stuarthcarruthers@gmail.com>

Dear Stuart,

Thank you for your email. We have added this block plan to the application and uploaded your email to file (with redactions) as confirmation of the ancillary works.

Unfortunately, the North elevation appears to not match the floor plans provided. The window projecting on the West elevation also appears to feature on the North but not the South elevation. Please can this be amended.

Kind regards,

The Planning Validation Team

From: Stuart Carruthers <stuarthcarruthers@gmail.com>
Sent: Monday, July 7, 2025 3:17 PM
To: Planning Technical (TWBC) <PlanningTechnical@TunbridgeWells.gov.uk>
Subject: Re: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown

> **CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

with the attachments

apologies

SHC
t: 01502 719 731

On Mon, 7 Jul 2025 at 15:15, Stuart Carruthers <stuarthcarruthers@gmail.com> wrote:

> Attached is the information requested. There is an existing access from the property to the north.
>
> Ancillary works are things like fitting of down lighters, increase in area of hardstanding on the land.
>
> Stuart H CARRUTHERS
> t: 01502 719 731
>
> ---------- Forwarded message ---------
> From: **Planning Technical (TWBC)** <PlanningTechnical@tunbridgewells.gov.uk>

Date: Fri, 4 Jul 2025 at 17:24
Subject: 25/01299/FULL - Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown
To: stuarthcarruthers@gmail.com <stuarthcarruthers@gmail.com>

Dear Applicant,
Please see attached a letter regarding outstanding invalid points on planning application number 25/01299/FULL. Please action within the next 5 working days.

With Thanks,

Planning Technical Team

E: Planning@TunbridgeWells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

www.tunbridgewells.gov.uk

This e-mail is confidential and intended solely for the use of the individual to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of Tunbridge Wells Borough Council. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please notify Tunbridge Wells Borough Council on telephone +44 (0)1892 526121 or e-mail to info@tunbridgewells.gov.uk.

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This e-mail is confidential and intended solely for the use of the individual to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of Tunbridge Wells Borough Council. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please notify Tunbridge Wells Borough Council on telephone +44 (0)1892 526121 or e-mail to info@tunbridgewells.gov.uk.
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Mr K Jeeves
C/O Mr Mark Rickards
Bacchus Design Limited
Blacksmiths Cottage
St Peters View
Sible Hedingham
CO9 3PL

1 May 2025

PLANNING DECISION NOTICE

APPLICANT:	**Mr K Jeeves**
DEVELOPMENT TYPE:	**All other minor development**
APPLICATION REFERENCE:	**25/00511/FULL**
PROPOSAL:	**Change of use of land to equestrian, construction of stable building for horses together with highway access crossover & access driveway**
ADDRESS:	**Land Between Kilndown Poultry Farm And Evanden Farm, Church Road, Kilndown, Cranbrook, Kent**

The Council hereby **REFUSES** Permission/Consent for the above for the following Reason(s):

(1) The proposal by virtue of the size, scale, height, design and position of the stable building combined with the associated development and access, would result in a prominent form of development that would cause harm to the landscape and visual character of the area and the rural lane and in turn would not conserve or enhance the landscape and scenic beauty of the High Weald National Landscape. The application is contrary to Chapter 12 and paragraphs 187 and 189 of the National Planning Policy Framework (2024); Core Policies 4, 5 and 14 of the Tunbridge Wells Borough Council Core Strategy (2010); Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Council Local Plan (2006); emerging Policies EN1, EN18 and EN19 of the Submission Local Plan (2021); Policies L1 and L4 of the Goudhurst Neighbourhood Plan (2022) and the High Weald AONB Management Plan 2024-2029.

(2) Insufficient evidence has been provided to show that the required visibility splays at the new access onto Church Road can be achieved and that the land within the visibility splays can be maintained free from any obstruction. Therefore, the proposal fails to show that it would not have an unacceptable impact on highway safety and would be contrary to paragraph 116 of the National Planning Policy Framework (2024).

Informative(s):

(1) The plans taken into consideration in reaching the decision to refuse planning permission are:

Preliminary Ecological Appraisal
Biodiversity Net Gain Statement
BNG Matrix
24/21/001A Site Location & Block Plan
24/21/002 Stables Floor and Roof Plans & Elevations
24/21/003 Highway Visibility Splay Plan

The Council's approach to this application:

In accordance with paragraph 39 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- This application was not considered to comply with the provisions of the Development Plan and NPPF as submitted, and would have required substantial changes such that a new application would be required.

Carlos Hone
Head of Planning
Tunbridge Wells Borough Council

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF CONSENT OR GRANT OF CONSENT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 or Control of Advertisements Regulations1989.

Please see "Development Type" on page 1 of the decision notice to identify which type of appeal is relevant for the following:

- If this is a decision to refuse permission for a Householder application or a Minor Commercial application and you want to appeal the decision, or any of the conditions imposed, then you must do so within 12 weeks of the date of this notice.
- In all other cases, you will need to submit your appeal against the decision, or any of the conditions imposed, within 6 months of the date of this notice.

For applications relating to Enforcement Notices:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is subsequently served and relates to the same or substantially the same land and development and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial application decision] of the date of this notice, whichever period expires earlier.

For applications refused on the grounds of Biodiversity Net Gain:

- If your application for the approval of the Biodiversity Gain Plan is refused by the local planning authority (acting as the planning authority for the plan), the person submitting the plan may appeal to the Secretary of State against the decision, under section 78 of the Town and Country Planning Act 1990.
- There is no right to appeal where a Biodiversity Gain Plan is refused by the Secretary of State, (as the planning authority for the plan). Secretary of State decisions can only be challenged on certain statutory grounds, where a challenge is brought within 6 weeks of the decision under section 288 of the Town and Country Planning Act 1990.

Appeals must be made to the Planning Inspectorate and further details can be found at https://www.planningportal.co.uk/info/200207/appeals.

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted advertisement consent for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Mr B Lee
c/o Mr Tim Spencer
Birchmere
South Road
Hythe
CT21 6AT

12 August 2025

PLANNING DECISION NOTICE

APPLICANT:	**Mr B Lee**
DEVELOPMENT TYPE:	**Traveller Caravan Pitches**
APPLICATION REFERENCE:	**25/01360/FULL**
PROPOSAL:	**(Retrospective) Change of use of land for the siting of a mobile home, touring caravan & outbuilding with erection of fence & gate for Gypsy / Traveller occupation**
ADDRESS:	**Land East of land between Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook Kent**

The Council hereby **REFUSES** Permission/Consent for the above for the following Reason(s):

(1) The development is located in an unsustainable location outside the Limits to Built Development and causes significant harm to the rural character, openness, and appearance of the countryside and has more than a minimal impact on the landscape character due to its siting and appearance. The proposal therefore fails to conserve and enhance the landscape and scenic beauty of the High Weald National Landscape. The development also results in an unsympathetic change to the character of the Rural Lane, and by virtue of its siting represents inappropriate agricultural land management. The pitch would also not be physically contained against unauthorised extension. The proposal is therefore contrary to paragraphs 110, 115, 187 and 189 of the National Planning Policy Framework 2024, Paragraphs 26 and 27 of the Planning Policy for Traveller Sites 2024, Policies LBD1, EN1, EN25, and H4 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4, 5, and 14 of the Tunbridge Wells Borough Core Strategy 2010, Policies L1, L4, D1, and D2 of the Goudhurst Neighbourhood Development Plan 2022, and emerging Policies STR1, STR8, EN1, EN4, EN18, EN19, and H9 of the Tunbridge Wells Borough Submission Local Plan 2021. The proposal also conflicts with the objectives of the Tunbridge Wells Borough Landscape Character Assessment, the High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029 and associated guidance, and the Tunbridge Wells Borough Rural Lanes Supplementary Planning Document.

(2) The development would cause less than substantial harm (lower end) to the Evanden Farm Historic Farmstead due to the change of use and character of the site from its historical agricultural use and by virtue of the separation of the 'blue line' land from the wider field. No information has been provided on the heritage impact of the proposal, and whether the proposal has had regard to its historical setting. The proposal therefore fails to accord with paragraphs 207 and 216 of the National Planning Policy Framework 2024, Core Policy 4 of the Tunbridge Wells Borough Core Strategy 2010, Policy L4 of the Goudhurst Neighbourhood Development Plan 2022, emerging Policies STR8, EN4, and EN5 of the Tunbridge Wells Borough Submission Local Plan 2021, and the Tunbridge Wells Borough Farmsteads Assessment Guidance Supplementary Planning Document.

(3) Insufficient information has been submitted to adequately demonstrate that the proposed development could be achieved without a detrimental impact upon the biodiversity of the site, including protected species. No ecological assessments, surveys, nor biodiversity net gain calculation have been submitted and therefore it is not possible to assess the impact of development and whether it would result in harm to a species or its habitat or achieve net gain. There are no exceptional circumstances considered to apply. The proposal is therefore contrary to paragraphs 187, 189, and 193 of the National Planning Policy Framework 2024, National Planning Practice Guidance and Circular 06/2005, Policy EN1 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4, 5, and 14 of the Tunbridge Wells Borough Core Strategy 2010, Policy L6 of the Goudhurst Neighbourhood Development Plan 2021, and emerging Policies EN1, EN9, and EN10 of the Tunbridge Wells Borough Submission Local Plan 2021.

Informative(s):

(1) The plans and documents which are the subject of this decision are:

- Application Form
- Self-Build Proforma
- Planning Statement
- Email From Agent (Proposal Confirmation)
- Plan No.: 25049TS-PP-01-MP-A1 - Proposed Mobile Home Floor Plans and Elevations
- Plan No.: 25049TS-PP-02 - Site Location Plan
- Plan No.: 25049TS-PP-03 - Proposed Block Plan
- Plan No.: 25049TS-PP-04-FE-A1 - Proposed Fence & Gate Elevations
- Plan No.: 25049TS-PP-05 - Proposed Outbuilding Floor Plans & Elevations

The Council's approach to this application:

In accordance with paragraph 39 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The application was considered to be fundamentally contrary to the provisions of the Development Plan and the NPPF, and there were not considered to be any solutions to resolve this conflict.

Carlos Hone
Head of Planning
Tunbridge Wells Borough Council

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF CONSENT OR GRANT OF CONSENT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 or Control of Advertisements Regulations1989.

Please see "Development Type" on page 1 of the decision notice to identify which type of appeal is relevant for the following:

- If this is a decision to refuse permission for a Householder application or a Minor Commercial application and you want to appeal the decision, or any of the conditions imposed, then you must do so within 12 weeks of the date of this notice.

- In all other cases, you will need to submit your appeal against the decision, or any of the conditions imposed, within 6 months of the date of this notice.

For applications relating to Enforcement Notices:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is subsequently served and relates to the same or substantially the same land and development and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial application decision] of the date of this notice, whichever period expires earlier.

For applications refused on the grounds of Biodiversity Net Gain:

- If your application for the approval of the Biodiversity Gain Plan is refused by the local planning authority (acting as the planning authority for the plan), the person submitting the plan may appeal to the Secretary of State against the decision, under section 78 of the Town and Country Planning Act 1990.

- There is no right to appeal where a Biodiversity Gain Plan is refused by the Secretary of State, (as the planning authority for the plan). Secretary of State decisions can only be challenged on certain statutory grounds, where a challenge is brought within 6 weeks of the decision under section 288 of the Town and Country Planning Act 1990.

Appeals must be made to the Planning Inspectorate and further details can be found at https://www.planningportal.co.uk/info/200207/appeals.

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted advertisement consent for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

AC/138 Screen shot of Bill Lee Facebook post.

Kent Land For Sale Or Rent | Land for sale goudhurst kent | Facebook

Land for sale goudhurst kent

Planning is in now for 1 mobile one tora and one day room

Water and generator ...

facebook.com

https://www.facebook.com/share/p/1AZYM7qcC6/?mibextid=wwXIfr 07:35

AC/139 Photograph of Plot 2

AC/140 Photograph of mobile home now empty.

AC/141 Photograph showing inside mobile home is now empty of furniture.

AC/142 Photograph Touring caravan and van gone. Rubber mats and tarpaulin placed over the top of wastewater treatment unit.

AC/143 Screen shot from Facebook of Wesy Lee putting land up for sale.

Planning Inspectorate

Appeal Decisions

Site visit made on 7 October 2025

by Mark Harbottle BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal A Ref: APP/M2270/C/25/3366815
Appeal B Ref: APP/M2270/C/25/3366816
Appeal C Ref: APP/M2270/C/25/3366817
Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent TN5 7PX

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended) ("the Act") against an enforcement notice ("the notice") issued by Tunbridge Wells Borough Council.
- The appeals are made by Mr Keith Jeeves (Appeal A), Ms B Harbour (Appeal B) and Mr J Bigmore (Appeal C).
- The notice was issued on 16 May 2025.
- The breach of planning control as alleged in the notice is: Without planning permission the creation of an access, the removal of hedgerow and laying of hardcore.
- The requirements of the notice are to: (i) Permanently cease the use of the access point (shown in its approximate position marked 'A' on the attached plan) for vehicular traffic; (ii) Permanently remove all hardcore, wooden posts and wire fencing from the access point; and (iii) Permanently close the access and reinstate the hedge by planting 3-year old transplanted seedling of 30cm of hazel (10%), hawthorn (70%), field maple (10%), hornbeam (5%), and dog rose (5%) in a double staggered, rows at 600mm centres. The individual plants should be supported using a cane and protected with a spiral guard, with the whole of the new hedge being protected by stock fencing to aid establishment and the hedge shall be retained as such. This must be done during the next planting season. Within 3 years from the date of planting, and in the event of any plants failing, the plants will require replacement until successfully established in accordance with BS8545:2014.
- The periods for compliance with the requirements are: (i) 1 month; (ii) 3 months; and (iii) end of October 2025 to start of January 2026.
- The appeals are proceeding on the grounds set out in section 174(2)(b), (c), (e), (f), (g) of the Act.

Appeal D Ref: APP/M2270/W/25/3366827
Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Kent TN5 7PX

- The appeal is made under section 78 of the Act against a refusal to grant planning permission.
- The appeal is made by Mr K Jeeves against the decision of Tunbridge Wells Borough Council.
- The application Ref is 25/00511/FUL.
- The development proposed is: Construction of new stable building for accommodation of horses together with new highway access crossover and access driveway in connection.

Appeals A, B and C – Decisions

1. It is directed that the notice is varied in section 6 by the deletion of the words "end of October 2025 to start of January 2026" and the substitution of the words "end of October 2026 to start of January 2027."

2. Subject to the variation, the appeals are dismissed, and the notice is upheld.

Appeal D – Decision

3. The appeal is dismissed.

Preliminary Matters

4. I am advised that a use of the land as a caravan site, which does not form part of the matters alleged in the notice or the development applied for in Appeal D, began after the notice was issued. Accordingly, it is beyond the scope of these appeals and will not be considered.

5. No representative of the appellants attended the site visit, which was therefore conducted on an access required basis.

Appeals A, B and C – the appeals on ground (e)

6. An appeal on this ground is that copies of the notice were not served as section 172 of the Act requires. The appellants suggest a copy of the notice should also have been served on the owners of adjacent land to the north. In the absence of further explanation, this appears to arise from the fact that there are 2 accesses to Church Road near the point marked A on the plan accompanying the notice.

7. The access to the south of the point marked A is on the land affected by the notice. The access to the north is not, so there was no reason to serve a copy of the notice on anyone who may own or occupy the land it is on. The appeals on ground (e) therefore fail.

Appeals A, B and C – the appeals on ground (b)

8. The appellants' case on this ground also concerns the 2 accesses. They consider it is unclear from the notice which access is alleged to have been formed without planning permission. However, as noted, there is only one access to Church Road on the land affected by the notice, so the facts are clear.

9. In any event, an appeal on this ground is that any matter alleged in the notice has not occurred as a matter of fact and the appellants do not deny that a new access had been formed. The appeals on ground (b) therefore fail.

Appeals A, B and C – the appeals on ground (c)

10. An appeal on this ground is that any matter alleged in the notice is not a breach of planning control. That could be because it is not development or because permission has been granted for it. The appellants do not suggest that the formation of the vehicular access to Church Road (classified as a C road), of which the removal of the hedgerow was part, is not a breach of planning control.

11. However, they consider the laying of the hardcore and the erection of the wooden posts and wire fencing are permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the Order"). No reasoning for that view has been provided.

12. The matters alleged in the notice do not include the erection of the wooden posts and wire fencing, so this does not fall to be considered in the appeals on this ground. The only identified instance in which the Order permits the laying of hardcore, other than within the curtilage of a dwellinghouse, is by reason of Article 3 and Part 6 of Schedule 2, which relates to agricultural development. No evidence of any agricultural use of the land when the hardcore was laid has been produced, so it has not been demonstrated that it is permitted by the Order.

13. For these reasons the appeals on ground (c) must fail.

Appeal D

14. The main issues in this appeal are:

    - The effect of the development on the character and appearance of the area, having regard to the landscape and scenic beauty of the High Weald National Landscape ("the NL").
    - Whether safe vehicular access and egress can be achieved.

Reasons

Character and appearance

15. Paragraph 189 of the National Planning Policy Framework ("the Framework") requires that great weight is given to conserving and enhancing landscape and scenic beauty in the NL, which has the highest status of protection in relation to these issues.

16. The appeal site is one of a series of small pastures within a relatively flat landscape in which short-range views are framed by surrounding tree cover, and where the absence of significant built form is a defining characteristic. Church Road is an unlit rural lane with no footways, dominated by hedgerows and mature roadside trees that create a sense of enclosure and restrict views from it. Vehicular access points are limited in number and of informal layout and surfacing materials.

17. The stable building would have a gross internal floor space of 73 sqm and be of utilitarian design, faced in box profile metal sheeting painted dark green. Within the context of the pastureland, this would appear as a large and dominant form. The access crossover would be formed with an 8 m stretch of black tarmac leading to a further section of crushed aggregate. Both, especially the tarmac section, would appear as urban features in the rural lane, contrasting negatively with the informal nature of existing accesses.

18. The submitted plans indicate that 2.4 m x 215 m visibility splays would be formed in each direction, although these are only illustrated in drawings submitted in Appeals A, B and C. These purport to show the visibility splays, but they are drawn incorrectly, thereby underestimating the likely extent of hedgerow removal. I saw that this could affect significant lengths that include mature silver birch, ash and beech trees close to the crossover point. It has therefore not been demonstrated that the creation of the splays would not have a significant adverse effect on the character and appearance of the rural lane in the short term. While new planting could be secured by condition, it would take any trees many years to mature and the need to maintain visibility would prevent them being planted where the loss occurred, so it would not be mitigated.

Access and egress

19. Church Road is relatively straight, with clear forward views for drivers at this point. Therefore, while speed surveys have not been produced, it is not unreasonable to expect vehicles to pass the site at or close to the national speed limit. Good driver visibility is therefore important, especially if slow moving vehicles, including those towing horse boxes, use the new access.

20. Setting the likely effect of the proposed visibility splays on character and appearance aside, they have not been correctly drawn on the plans before me. It is therefore not shown that they would be wholly within land owned or controlled by the appellant and thus capable of being secured. It has therefore not been demonstrated that the required driver visibility could be achieved.

Appeal D – Conclusion

21. For the reasons given, the development would have a more than minimal effect that would fail to maintain, conserve or enhance the rural landscape of the NL and the parish and the quality of the countryside. It would not respect the context of the site and would be an unsympathetic change to the character of the rural lane.

22. Additionally, it has not been demonstrated that an unacceptable impact on highway safety can be avoided by the formation of adequate visibility splays. Paragraph 116 of the Framework indicates that development should be refused in these circumstances.

23. Accordingly, the development is contrary to saved policies EN1 and EN25 of the Tunbridge Wells Borough Local Plan 2006 ("the BLP"), Core Policies 4 and 14 of the Tunbridge Wells Borough Local Development Framework Core Strategy Development Plan Document, and policies L1 and L4 of the Goudhurst Neighbourhood Plan. The formation of the new access without achieving the required visibility is contrary to saved policy TP4 of the BLP and Part 9 of the Framework. The development is therefore unacceptable.

Appeals A, B and C – the appeals on ground (f)

24. The notice's requirements are directed at all aspects of the breach of planning control, so its purpose is to remedy that breach. It was stated in the appeal form that "a number of issues" would be amplified in later submissions, but nothing was forthcoming.

25. The appeal form also stated that the requirements are unreasonable because they seek to cause "exclusion from the land." Although that point was made in respect of the appeals on ground (g), any criticism of the reasonableness of the requirements must be considered in this ground of appeal. As no further submissions were made it has not been explained what was meant by "exclusion from the land." However, the notice only attacks operational development, so it cannot affect any lawful use of the land, or any lawful access to it.

26. The precise heights of the posts and wire fencing on the road frontage have not been provided, so they have not been demonstrated to not exceed 1m in height, the maximum that would be permitted by the Order in that position. Accordingly, and as they were erected as part of the works to form the unauthorised access, it is not excessive to require their removal.

27. For these reasons it has not been demonstrated that any of the notice's requirements exceeds what is necessary to remedy the breach of planning control. Accordingly, the appeals on this ground must fail.

Appeals A, B and C – the appeals on ground (g)

28. The one matter raised by the appellants in their appeals on this ground did not concern the time allowed for compliance with the notice and has been dealt with in the appeals on ground (f).

29. Although the appellants have not raised the point, the time given for compliance with requirement (iii), to close the access and reinstate the hedgerow, is fixed as "during the next planting season" and the notice identified that as "end of October 2025 to start of January 2026," that being the next planting season after the date the notice was issued.

30. While that planting season is only about to begin, the period given for compliance with requirement (ii), to permanently remove all hardcore, wooden posts and wire fencing from the access point, is 3 months. Closure of the access and reinstatement of the hedgerow could only occur after that period had elapsed.

31. For this reason, it is necessary to vary the notice to specify a planting season that post-dates compliance with requirement (ii). That would not, however, necessarily prevent implementation of the specified planting by the start of January 2026 if the appellants choose to comply with the notice's requirements swiftly.

32. The appeals on ground (g) therefore succeed to this limited extent and the notice will be varied accordingly.

Appeals A, B and C – Conclusions

33. For the reasons given above, I conclude that the appeals should not succeed. I shall uphold the enforcement notice with a variation.

Appeal D – Conclusion

34. For the reasons given above the appeal should be dismissed.

Mark Harbottle

INSPECTOR

Appendix 1
List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/M2270/C/25/3366815	Mr Keith Jeeves
Appeal B	APP/M2270/C/25/3366816	Ms B Harbour
Appeal C	APP/M2270/C/25/3366817	Mr J Bigmore
Appeal D	APP/M2270/W/25/3366827	Mr K Jeeves

AC145 Photo of new Injunction paper work

AC146 photograph of plot 2 showing damaged fence panels.

AC147 photograph of plot 2 showing damaged gate and it being abandoned

AC148 photograph of plot 4 showing plastic garden chairs, drainage pipes and large concrete blocks

AC149 photograph of plot 4 showing mobile home and BBQ.

AC150 photograph of plot 4 showing shed.

AC151 photograph of plot 4 showing children’s bike.

AC152 photograph of plot 4 showing more drainage pipe, plastic water butt, composter and other residential paraphernalia.

AC153 photograph of plot 4 showing paving slabs, plastic water butt and composter, bike and other residential paraphernalia.

AC154 photograph of plot 4 showing paving slab, plastic water butt, large plastic barrel, bike, corrugated sheet and other residential paraphernalia.

AC155 photograph of plot 4 showing 2 concrete planters in middle of field.

AC156 photograph of plot 4 showing horse in a section of the field.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE & OPERATIONAL DEVELOPMENT

ISSUED BY: TUNBRIDGE WELLS BOROUGH COUNCIL (the "Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act at the Land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the Development Plan and to other material planning considerations. The Annex at the end of this Notice and the enclosures to which it refers contain important additional information.

2. THE LAND AFFECTED

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent shown outlined in red on the attached plan ("the Land")

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission**:**

(i) Material change of use of Land from agricultural to a mixed use of agricultural and the storage of a static caravan; and

(ii) Operational development consisting of the installation of an underground foul water treatment unit and the construction of an outbuilding.

4. REASONS FOR ISSUING THIS NOTICE

(i) It appears to the Council that the breach of control referred to in:

3(i) above has occurred within the last ten years (Section 171B(3))

3(ii) above has occurred within the last ten years (Section 171B(1))

(ii) The development causes significant harm to the character and appearance of the countryside, the setting of the rural lane and fails to conserve and enhance the special landscape and scenic beauty of the High Weald National Landscape. As such the proposal would be contrary to Paragraphs 187 and 189 of the National Planning Policy Framework 2024 (amended 2025), Policies STR1 STR8, EN1, EN12, EN13, EN18, EN19 and EN20 of the Tunbridge Wells Local Plan 2025 and Policies L1, L4, L6, L7 and T3 of the Goudhurst Neighbourhood Development Plan. The proposal also conflicts with the objectives of the High Weald Area of Outstanding Natural

Beauty Management Plan and Rural Lanes Supplementary Planning Document.

(iii) There is insufficient evidence before the Local Planning Authority for it to be satisfied that the development does not have a detrimental impact upon the biodiversity of the site, including protected species and the Site of Special Scientific Interest which is part of an area of Ancient Woodland. No ecological survey/s or biodiversity net gain calculations have been submitted in relation to the development and therefore it is not possible for the Local Planning Authority to assess the ecological impact of development and whether it would result in harm to any protected species, habitats, or whether it would achieve biodiversity net gain. As such, the development is contrary to Paragraphs 192 and 193 of the National Planning Policy Framework 2024 (amended 2025), Policies EN1, EN9, EN12, EN13, EN18 & EN19 of the Tunbridge Wells Local Plan 2025 and Policies L1, L4, L6 and L7 of the Goudhurst Neighbourhood Development Plan.

5. WHAT YOU ARE REQUIRED TO DO

(i) Remove the static caravan shown in its approximate location marked ‘A’ on the attached plan from the Land.

(ii) Remove the outbuilding shown in its approximate location marked ‘B’ on the attached plan from the Land.

(iii) Remove the domestic paraphernalia (including but not exclusive to: concrete planters, rubbish bins, bikes, BBQ, water butts, pipes and general rubbish) from the Land.

(iv) Excavate and remove from the Land the foul water treatment plant shown in its approximate location marked ‘C’ on the attached plan.

(v) Infill the excavation hole created in compliance with (iv) above with clean soil.

(vi) Remove from the Land all materials, rubbish and debris resulting from compliance with steps (i) to (v) above.

6. TIME FOR COMPLIANCE

Two (2) months after this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **5 June 2026** unless an appeal is made against it beforehand.

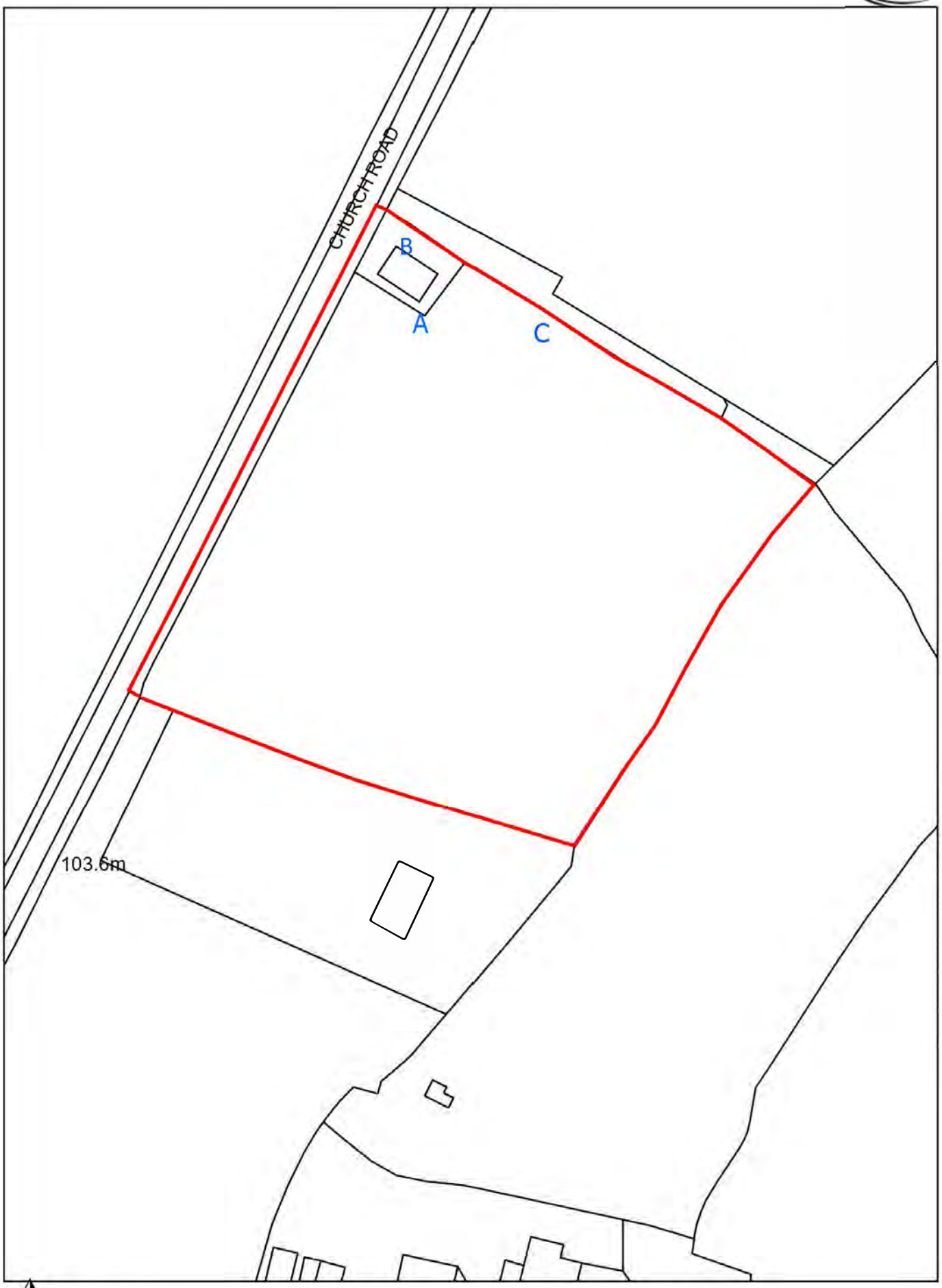
ISSUED: 30 April 2026

SIGNED:

Claudette Valmond
Head of Mid Kent Legal Partnership
On behalf of Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent
TN1 1RS

Ref: T020331.1

CHURCH ROAD KILNDOWN



Scale 1:10,000

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Map Dated: 18/02/2026

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the Notice.

FEE PAYABLE FOR THE DEEMED APPLICATION

If you make an appeal against this Notice under ground (a) 'that planning permission should be granted' the deemed application fee is £1,220 (being twice the amount of the usual fee payable in respect of an application for planning permission).

The fee for a ground (a) appeal can be paid by an on-line payment via this link www.tunbridgewells.gov.uk/planning/applications/pay ensuring that you state that it is for an appeal fee and quote the appeal reference and address of the site.

Please see the enclosed notes for guidance from the Planning Inspectorate.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required step(s) for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

The Planning Inspectorate

CST Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (https://acp.planninginspectorate.gov.uk/); or

- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

Enforcement Notice

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent

List of Persons Served

Name	Address 1	Address 2
Keith Jeeves	22 Hibbs Close Swanley BR8 7FA	Land between Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT
The Owner(s)	Land between Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	
The Occupier(s)	Land between Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	
Any other person(s) with an interest in:	Land between Kilndown Poultry Farm and Evanden Farm Church Road Kilndown Cranbrook TN17 2RT	
A copy of the notice will be sent to but is not enforceable against:		
Stuart Carruthers	32 Northgate Street Beccles NR34 9AS	

AC158 Photograph of Enforcement notice served on the land.

AC159 Photograph of letter packs for Enforcement notice served on the land.

AC160 Photograph of plot 4 gate and wire which should be removed under the appealed enforcement notice.

AC161 Photograph of plot 4 showing mobile home. To left of mobile home the hardstanding which should have been removed under the enforcement notice which was appealed.

AC162 Photograph of plot 4 showing shed and mobile home.

AC163 Photograph of plot 4 showing concrete planters, plastic water butt, plastic composter, blue plastic barrel and other residential paraphernalia.

AC164 Photograph of plot 4 showing the opening to the large foul water treatment plant which had been concealed.

AC165 Photograph of plot 4 showing wheelbarrow and other paraphernalia

AC166 Photograph of plot2 showing it empty and the fence and gate not repaired.

AC167 Photograph of plot2 showing mobile home and outbuilding

AC168 Photograph of plot2 showing mobile home empty of furniture

AC169 Photograph of plot2 showing areas of fence repaired and bail of hay in field for horses.

AC170 Photograph showing block pavement bricks put in the mud tracks leading part way down the side of plot 3.

AC171 Photograph showing fencing and gate to plot 2 looking towards the road.

AC172 Photograph showing plot 3 and the Injunction pack on the gate.

Planning policy considerations for development on the injunction land and the wider area

The injunction land is highly sensitive and subject to the following planning constraints:

- Agricultural Land Grade 3 which is classified as such is protected by policy EN20 of the Tunbridge Wells Local Plan 2025
- High Weald National Landscape (NL) - the LPA has a statutory duty to seek to further the purpose of conserving and enhancing the natural beauty of the AONB - National Parks and Access to the Countryside Act of 1949, Countryside and Rights of Way Act, 2000 and Levelling-up and Regeneration Act 2023 and NLs are protected by policies STR8 and EN19 of the Tunbridge Wells Local Plan 2025 and L1 of the Goudhurst Neighbourhood Development Plan
- Limits to built development (OUTSIDE) and therefore there is a presumption against development by virtue of policies STR1 STR8, PSTR/GO1 and EN18 of the Tunbridge Wells Local Plan 2025 and L3 of the Goudhurst Neighbourhood Development Plan
- Designated Rural Lane (Church Road) which is protected by the Rural Lanes Supplementary Planning Document
- Public Rights of Way – WC55A to east of site – which means the development has a visual impact within its landscape setting.

1. Woodland to the east is Ancient Woodland which is defined as irreplaceable habitat in national policy and protected by policies EN12 and STR8 of the Tunbridge Wells Local Plan 2025 and L7 of the Goudhurst Neighbourhood Development Plan.

- The land is adjacent to a Site of Special Scientific Interest which means it is protected by policies EN9, EN10 and STR8 of the Tunbridge Wells Local Plan 2025 and L6 of the Goudhurst Neighbourhood Development Plan. Proximity to heritage assets and protected by policies STR8 and EN4 of the Tunbridge Wells Local Plan 2025 and L4 of the Goudhurst Neighbourhood Development Plan.

The current lawful use of the wider site is agricultural. The site covered currently by the Injunction Order dated 6th June 2025, is to the south of Kilndown, a small village within the Parish of Goudhurst, and is 440m north-east of the A21. Prior to unlawful development, the site was undeveloped, greenfield land. The boundaries of the site are generally comprised of dense hedgerows with mature trees situated on the south, east, and north boundaries. The wider area is predominantly rural with dense areas of ancient woodland situated in close proximity to the site in all directions. With the exception of Kilndown to the north, there is very limited development within the vicinity.

The site is outside the settlement of Kilndown which is located 270m to the north and the settlement boundary has now been removed in the Local Plan. The site is wholly within the High Weald National Landscape. Church Lane is adopted highway as well as a Kent County Council (KCC) designated Rural Lane. The site is categorised as Grade 3 agricultural land, the woodland to the east and west is Ancient Woodland, two Sites of Special Scientific Interest (SSSI) are located 350m to the north-west and 450m to the south-east, a Public Right of Way (WC55A) runs through the woodland 60m to the east of the site, the site is situated within an Area of Archaeological Potential, Evanden Farm (a Grade II Listed Building) and the Evanden Farm Post-Medieval Historic Farmstead are located 170m to the north, the Grade II Listed Kilndown Poultry Farmhouse and Kilndown Poultry Farm Post-Medieval Historic Farmstead are located 250m to the south, and Scotney Castle Historic Park and Garden is 620m to the north-west at its closest point (Scotney Castle itself is approximately 1.1km to the north-west).

There is therefore no policy support for any form of proposed development on the wider site, due to the designations and the unsustainable rural location, with no facilities, public transport links or footpaths to link this site to any form of wider development. It would therefore be unacceptable in principle, contrary to the Framework and development plan policies. Any development within the area is also likely to harm the landscape character of the High Weald National Landscape and cause unacceptable harm.

An application has already been refused for Plot 2 on a number of grounds but the following reasons relate to the principle of development, notwithstanding ecology, biodiversity and highway safety.

2. The development causes significant harm to the character and appearance of the countryside, the setting of the rural lane and fails to conserve and enhance the special landscape and scenic beauty of the High Weald National Landscape. As such the proposal would be contrary to Paragraphs 187 and 189 of the National Planning Policy Framework 2024 (amended 2025), Policies STR1 STR8, , EN1, EN12, EN13, EN18, EN19 and EN20 of the Tunbridge Wells Local Plan 2025 and Policies L1, L4, L6, L7 and T3 of the Goudhurst Neighbourhood Development Plan. The proposal also conflicts with the objectives of the High Weald Area of Outstanding Natural Beauty Management Plan and Rural Lanes SPD.

3. There is insufficient evidence before the Local Planning Authority for it to be satisfied that the development does not have a detrimental impact upon the biodiversity of the site, including protected species and the Site of Special Scientific Interest which is

part of an area of Ancient Woodland. No ecological survey/s or biodiversity net gain calculations have been submitted in relation to the development and therefore it is not possible for the Local Planning Authority to assess the ecological impact of development and whether it would result in harm to any protected species, habitats, or whether it would achieve biodiversity net gain. As such, the development is contrary to Paragraphs 192 and 193 of the National Planning Policy Framework 2024 (amended 2025), Policies EN1, EN9, EN12, EN13, EN18 & EN19 of the Tunbridge Wells Local Plan 2025 and Policies L1, L4, L6 and L7 of the Goudhurst Neighbourhood Development Plan.

List of relevant planning policies

National Planning Policies

National Planning Policy Framework (NPPF) 2024 (amended 2025)

National Planning Practice Guidance (NPPG)

Planning Policy for Traveller Sites 2024 (PPTS)

Tunbridge Wells Local Plan 2025 Policies:

STR 1 The Development Strategy

STR 2 Place Shaping and Design

STR 7 Climate Change

STR8 Conserving and Enhancing the Natural, Built, and Historic Environment

STR10 Neighbourhood Plans

PSTR/GO1 The Strategy for Goudhurst Parish

EN1 Sustainable Design

EN2 Sustainable Design Standards

EN3 Climate Change Mitigation and Adaption

EN4 Historic Environment, Including Heritage Assets

EN8 Outdoor Lighting and Dark Skies

EN9 Biodiversity Net Gain

EN10 Protection of Designated Sites and Habitats

EN12 Trees, Woodland, Hedges and Development

EN18 Rural Landscape

EN19 The High Weald Area of Outstanding Natural Beauty

EN20 Agricultural Land

EN24 Water Supply, Quality, and Conservation

EN25 Flood Risk

EN26 Sustainable Drainage

H9 Gypsies and Travellers

TP2 Transport Design and Accessibility

TP6 Safeguarding roads

Goudhurst Neighbourhood Development Plan: Policies:

L1 Development within the AONB

L3 Retain the Profile of our Hilltop Villages

L4 Conserve Landscape and Heritage Assets

L6 Biodiversity

L7 Trees

L8 Protection of the Rural Landscape at Night ('Nightscape')

L9 Local Green Spaces

L10 Views

C2 Accessibility

D1 Design Considerations

D2 Boundary Treatments

D3 Climate Change

T1 Parking in New Development

T2 Safe Access and Sustainable Transport

T3 Traffic Mitigation

Supplementary documents

High Weald AONB Management Plan 2024 -2029

Rural Lanes

Author :Lucinda Roach MRTPI, Development Manager, Tunbridge Wells Borough Council.

Dated 21/05/2026

Statement on behalf of the Claimant
Witness: Andrew Culley
7th Statement
Dated: 29/05/2026
Exhibits: AC/173 to AC/235

IN THE HIGH COURT OF JUSTICE **Claim No. KB-2025-001812**
Matter No. KB-2025-001739

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

SEVENTH WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990

(as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. I make this further witness statement in support of the Claimant's application to continue/vary the injunction granted by Mr Justice Lavender on 6th June 2025.

3. On Tuesday 26th May 2026 at approximately 19:10 hours I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer), to serve packs advising of the application to the High Court to continue/vary the Injunction Order dated 6th June 2025. Each pack contained a covering letter which I exhibit copies of as **AC/173 to AC/182**, application notice dated 21 May 2026, Notice of listing (email dated 25th May 2026), Draft Injunction Order and Plan. These were served at the following locations (map for plots exhibit **AC/126** of my sixth witness statement):

   i. On the gate of plot 6, 3 packs with covering letters addressed to BILL LEE, BILL LEONARD LEE, and PERSONS UNKNOWN, I exhibit photos **AC/183** and **AC/184**
   ii. On the gate of plot 5, 2 packs with covering letters addressed to ALBIE JOHN WILKINS and PERSONS UNKNOWN I exhibit photos as **AC/185 and AC/186**
   iii. On post to the entrance to Plot 4, 4 packs with covering letters to KEITH JEEVES, BONNY HARBOUR, JONNY BIGMORE and PERSONS UNKNOWN I exhibit photos as **AC/187 to AC/189**
   iv. On the gate post to plot 3, 2 packs with covering letters to WESY BILL WALLY LEE and PERSONS UNKNOWN I exhibit photos as **AC/190** and **AC/191**
   v. On the gate of plot 2, 3 packs with covering letters to ROY CHRISTOPHER DRAPER, BILL LEE and PERSONS UNKNOWN I exhibit photos as **AC/192 and AC/193**
   vi. On a post rail of plot 1, 2 packs with covering letters to CURTIS LOVE and PERSONS UNKNOWN I exhibit photos as **AC/194 and AC/195**

4. On Tuesday 26th May 2026 I also left with the Council's post room 6 packs: each contained a covering letter, application notice dated 21 May 2026, Notice of listing

(email dated 25th May 2026), Draft Injunction Order and Plan. I received confirmation that they had been sent by recorded delivery from the post room on Wednesday 27th May 2026 that they had been sent 1st class recorded delivery and tracking reference as follows:

i. Curtis Love, The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE tracking: BN781702822GB
ii. Roy Christopher Draper, Hill View, Meadow Lane, Runwell, Wickford SS11 7DX Tracking: BN781702836GB
iii. Wesy Bill Wally Lee , Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU Tracking: BN781702853GB
iv. Albie John Wilkins, Hawksbill, Morley Lane, Bicker, Boston PE20 3DP Tracking: BN781702867GB
v. Bill Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU Tracking: BN781702875GB
vi. Bill Leonard Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU Tracking: BN781702840GB

5. On 30th April, I served a second enforcement notice in relation to Plot 4 with the following requirements:

(i) Remove the static caravan shown in its approximate location marked 'A' on the attached plan from the Land.

(ii) Remove the outbuilding shown in its approximate location marked 'B' on the attached plan from the Land.

(iii) Remove the domestic paraphernalia (including but not exclusive to: concrete planters, rubbish bins, bikes, BBQ, water butts, pipes and general rubbish) from the Land.

(iv) Excavate and remove from the Land the foul water treatment plant shown in its approximate location marked 'C' on the attached plan.

(v) Infill the excavation hole created in compliance with (iv) above with clean soil.

(vi) Remove from the Land all materials, rubbish and debris resulting from compliance with steps (i) to (v) above.

6. Since that date, requirements (i) & (ii) have now been complied with. I exhibit photos of the area as exhibit **AC/196 and AC/197** which show the static caravan and outbuilding (shed) no longer in place. Requirement (iii) had almost been complied

with, only a few bits of waste pipes had been left lying in the hedgerow. I took photos of the area showing this which I exhibit as **AC/198 to AC/199.** Requirements (iv),(v) and (vi) also appeared to have been complied with as the top of the foul waste water treatment unit could no longer been seen. I exhibit photos **AC/200 and AC/201**

7. The first enforcement notice in relation to Plot 4 which was issued on the 16th May 2025 the breach of planning control for this notice was 'Without planning permission the creation of an access, the removal of hedgerow and laying of hardcore'. This enforcement notice had been appealed but the appeal was dismissed on 24th October 2025 by Mark Harbottle the appointed inspector by the Secretary of State. It had 3 requirements:

   (i) Permanently cease use of the access point shown in its approximate location marked 'A' on the attached plan for vehicular traffic.

   (ii) Permanently removal all hardcore, wooden posts wire fencing from the access point shown in its approximate location marked 'A' on the attached plan.

   (iii) Permanently close the access shown in its approximate location and reinstate the hedge by planting 3-year-old transplanted seedling of 30cm of Hazel (10%), Hawthorn (70%), Field Maple (10%), Hornbeam (5%) and Dog Rose (5%)in a double staggered, rows at 600mm centres. The individual plants should be supported using a cane and protected with a spiral guard, with the whole of the new hedge being protected by stock fencing to aid establishment and the hedge shall be retained as such. This must be done during the next planting season. Within three years from the date of planting, and in the event of the any plants failing, the plants will require replacement until successfully established in accordance with BS 8545:2014.

8. Of these requirements, (i) has now been complied with as the gates had been removed and a post and barbed wire fence had been erected. I took a photo and exhibit as **AC/202**. Requirement (ii) should have been complied with by now, but there are still large amounts of stone, and broken brick. I exhibit photos **AC/203 to AC/211.** Requirement (iii) cannot be started till the planting season (October to January).

9. Plot 2 still had the mobile home and shed which were still unoccupied and had no furniture when looking into the living area. I exhibit photos of this plot as **AC/212 to AC/216.**

10. Plot 3 had two ponies on the land.

11. On 27th May 2026 at 09:36, I emailed KEITH JEEVES, as he had previously told me that he did not want any letters going to his sister's address, I attached a copy of the covering letter to this email and links to the council website for the documents which were in the packs issued on the land. In the email I asked if he could send me the photos he said he would take when removing the waste tank. I advised that I had seen that the mobile home, sheds and associated items had been removed along with the gateway which had been fenced over. However the hardcore had not been sufficiently scraped back to soil level and that there were still drainage pipes in the hedgerow. I exhibit a copy of this email as **AC/217.**

12. At 09:38 I received a call from KEITH JEEVES, he said he didn't agree with what my email said, I asked him which part. To which he said the removal of the hardcore, as only one tipper truck went in there and that he had removed 2 lots. He said that when the digger was onsite it had the correct landscaping bucket, and the more they scraped the more stone came up from under the dirt and that he put hardcore on top of stone which was already there, to raise the land. He said he has photos showing it as it was being removed and what he removed. I asked if he could send them and the photos of the foul water tank being removed, also if he could produce the waste transfer document or ticket for the loads removed, to which he said he will work out how to send it and he also has one showing it being taken off on the back of a lorry. He would also speak to 'DANNY' who took the hardcore away. I asked if he had read the letter I attached to the email, he told me he hadn't really as was on a job and asked what it meant. I advised him to read it carefully and seek legal advice, as the Council have applied to go back to the High Court to see if the Injunction Order can be extended. He said you are just trying to make my land worthless I haven't sold it. I said it is for the whole of the land the Injunction is on not just his section, so he should seek legal advice. He then told me STUART CARRUTHERS had sent him a screen shot of the application having been submitted, so his application should be in for his gypsy rights to be on the land. He then said he will work out how to get the photos sent and get the ticket for the removal and said he had to go as on a job.

13. I was notified that a planning application had been received by the Council and allocated reference 26/01194/FULL. The applicant was showing as Ms B Harbour and the agent as S Carruthers, the description of the application was currently showing as 'Change of use of land to allow the stationing of three static caravans and two touring caravans and ancillary works to meet the accommodation needs of a local extended Gypsy / Traveller family'. At the time of writing this statement, the planning application has not been validated because it is missing the following required documents :

    I. Existing & proposed block plans
    II. Proposed floor plans & elevations
    III. biodiversity net gain

    Therefore, at the time of this statement the application is still invalid. The land for this application is that of plot 4. I exhibit a copy of the application form as **AC/218** and a copy of the letter notifying of invalidity sent by the Council as exhibit **AC/219**

14. On 27th May 2026 I received an email from KEITH JEEVES with a photo showing a digger and a pile of dirt and stone. I exhibit the photo as **AC/220**

15. On 28th May 2026 I received an email from a resident at Kilndown which had 2 photos which I exhibit as **AC/221** showing plot 2 and some of the fence panels now missing **AC/222** showing further blocks and bricks put on the track past plot 3. Their email stated 'photos taken yesterday evening of the static caravan, the wooden fencing has been removed and concrete slabs have been laid on the track, near the wood end, rather than the Kilndown road end'.

16. On 29th May 2026 I received an email from KEITH JEEVES which had a photo of 'Conveyance Note' showing the company which removed 2 loads from the land. I exhibit a copy of this as **AC/223**.

Other documents for the court

17. I exhibit the amended claim form (06/06/25) as exhibit **AC/224** and 11 certificates of service relating to service of the sealed injunction order dated 6th June 2025 and the amended claim form as **AC/225** to **AC/235.**

The Council's request to vary the draft Injunction.

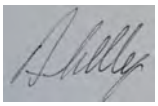
18. In relation to a mobile homes on the Land, a further mobile home has been removed from plot 4 between my site visit to the land on the 30th April 2026 and site visit on 26th May 2026. At the time of writing this statement the Council has witnessed only a total of 1 mobile home left across all plots of the land the Council would now request a variation of the order to state "over and above one mobile home on the land", the draft Order should therefore state:

ii. Bring onto the Land any touring caravans and/or mobile homes (over and above one mobile home on the Land) for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

19. In relation to buildings or structures on the land, on the last visit to the land on 26th May 2026 there was only 1 shed left on the land on plot 2, the shed from plot 4 had been removed. I would therefore request that the wording is varied to "over and above the one shed existing on the land". The draft Order should read:

iii. Bring/erect/install any buildings or structures (over and above one shed existing on the Land) for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: 

Dated: 29/05/2026

Tunbridge Wells Borough Council

Persons Unknown
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **26 May 2026**

Dear Sir/Madam,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

DATE FOR HEARING: Thursday 4 JUNE 2026

We are instructed by the Claimant Tunbridge Wells Borough Council in relation to this matter.

We enclose by way of service:

1. Application Notice dated 21 May 2026
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You will note that the Claimant has applied to the High Court to continue/vary the Injunction Order dated 6 June 2025.

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We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

Tunbridge Wells Borough Council

Bill Lee
Land between Kilndown Poultry Farm and Evanden
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Tunbridge Wells Borough Council

Bill Leonard Lee
Land between Kilndown Poultry Farm and Evanden
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Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **26 May 2026**

Dear Mr Wilkins,

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Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **26 May 2026**

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For Tunbridge Wells Borough Council

Tunbridge Wells Borough Council

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TN17 2RT

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Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **26 May 2026**

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The Judge and time of the hearing will be confirmed on the working day before on the Daily Cause List (from 3pm):

https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list

We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours faithfully,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

Tunbridge Wells Borough Council

Roy Christopher Draper
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **26 May 2026**

Dear Mr Draper,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

DATE FOR HEARING: Thursday 4 JUNE 2026

We are instructed by the Claimant Tunbridge Wells Borough Council in relation to this matter.

We enclose by way of service:

1. Application Notice dated 21 May 2026
2. Notice of Listing (email dated 25 May 2026)
3. Draft Injunction Order and Plan

You will note that the Claimant has applied to the High Court to continue/vary the Injunction Order dated 6 June 2025.

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Yours faithfully,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

Tunbridge Wells Borough Council

Curtis Love
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **26 May 2026**

Dear Mr Love,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent

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Yours faithfully,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

AC/183 Persons unknown, Bill Lee and Bill Lenoard Lee

AC/184 Plot 6 service

AC/185 Albie John Wilkins and person unknown service letters

AC/186 Plot 5 service letters

AC/187 Plot 4 service letters

AC/188 Persons Unknown and Bonny Harbour Letters

AC/189 Jonny Bigmore and Keith Jeeves letters

AC/190 Plot 3 service

AC191 Wesy Lee and Persons unknown

AC192 ROY CHRISTOPHER DRAPER, BILL LEE and PERSONS UNKNOWN service

AC193 Plot 2 service

AC/194 CURTIS LOVE and PERSONS UNKNOWN

AC/195 Service

AC/196 Photo from road showing caravan gone

AC/197 photo showing static caravan and shed gone

AC198

AC/199

AC/200 Area where waste tank was underground

AC/201

AC/202 Entrance fenced off gate removed

AC/203 Area with stone and brick

AC/204

AC/205

AC/206 Close up of stone

AC/207

AC/208

AC/209

AC/210

AC/211

AC/212 Plot 2

AC/213 mobile home plot 2

AC/214 plot 2

AC/215 Plot 2

AC/216 Inside mobile home plot 2

AC217 Kilndown Land – Compliance Update and documents

From:	Andrew Culley
To:	"kjeeves14@gmail.com"
Subject:	Kilndown Land – Compliance Update and documents
Date:	27 May 2026 09:36:00
Attachments:	image001.jpg Covering Letter - KJ (002).pdf image003.jpg

---

Good morning Keith,

Apologies I missed your call yesterday.

I attended the land at Kilndown yesterday to review the works undertaken to restore the field. I can see that the foul waste tank has been removed; however, you had advised that you would take photographs during its removal. Please could you forward these to me?

The gateway has been removed and the area fenced off, ready for hedge reinstatement later in the year, which is noted. The mobile home, sheds and associated items (including bikes) have also been removed.

However, the hardcore has not yet been sufficiently scraped back to soil level. The amount of stone remaining on the surface is not characteristic of an agricultural field and requires further remediation. In addition, there are drainage-style pipes within the hedgerow which will need to be removed.

To comply with both Enforcement Notices, the following works remain outstanding:

- Further scraping back of the surface to remove remaining hardcore.
- Removal of the drainage pipes from the hedgerow.
- Reinstatement of the hedge during the appropriate planting season October 2026 to start of January 2027.

While on site, I also served a covering letter (copy attached), which included the following documents:

1. Application Notice dated 21 May 2026
2. Notice of Listing (email dated 25 May 2026)
3. Draft Injunction Order and Plan

As previously requested, the covering letter and associated documents have not been sent to your sister's address and have only been served on the land.

I would strongly advise that you read the covering letter carefully and seek independent legal advice in respect of its contents.

All documents relating to this matter are also available on the Council's website here.

Kind regards

Andy Culley
Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

Access planning services online at: www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

As has been widely publicised, since 01 April 2017 TWBC publicises applications for planning permission and listed building consent by Site Notice only. Letters are no longer sent to neighbouring properties (except for "larger household prior notifications").

You can register your details on the Council's website and set up an "area of search" to be notified of any applications on neighbouring properties, or within a particular road or area of the Borough, by clicking here: http://www.tunbridgewells.gov.uk/notify

All advice given in this correspondence is given at Officer level only and does not prejudice any future decision this authority may make.

Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent TN1 1RS

planning comments@tunbridgewells.gov.uk

Tunbridge Wells Borough Council

Application for Planning Permission

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

The Barnfield

Address Line 1

Church Road

Address Line 2

Address Line 3

Town/city

Kilndown

Postcode

TN17 2RT

Description of site location must be completed if postcode is not known:

Easting (x)

569641

Northing (y)

134461

Description

Caravan site on Church road

Applicant Details

Name/Company

Title

Ms

First name

B

Surname

Harbour

Company Name

Address

Address line 1

The Barnfield Church Road

Address line 2

Address line 3

Town/City

Kilndown

County

Country

Postcode

TN17 2RT

Are you an agent acting on behalf of the applicant?

- (✓) Yes
- ( ) No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

S

Surname

Carruthers

Company Name

Address

Address line 1

32 Northgate Street

Address line 2

Address line 3

Town/City

Beccles

County

Country

United Kingdom

Postcode

NR34 9AS

Contact Details

Primary number

01502719731

Secondary number

Fax number

Email address

stuarthcarruthers@gmail.com

Site Area

What is the measurement of the site area? (numeric characters only).

1.20

Unit

Hectares

Description of the Proposal

Please note in regard to:

- **Fire Statements** - From 1 August 2021, planning applications for buildings of over 18 metres (or 7 stories) tall containing more than one dwelling will require a 'Fire Statement' for the application to be considered valid. There are some exemptions. View government planning guidance on fire statements or access the fire statement template and guidance.
- **Permission In Principle** - If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.
- **Public Service Infrastructure** - From 1 August 2021, applications for certain public service infrastructure developments will be eligible for faster determination timeframes. See help for further details or view government planning guidance on determination periods.

Description

Please describe details of the proposed development or works including any change of use

Change of use of land to allow the stationing of three static caraavans and two touring caravans and ancillary works to meet the accommodation needs of a local extended Gypsy / Traveller family

Has the work or change of use already started?

○ Yes
◉ No

Existing Use

Existing Use

Please describe the current use of the site

Horse field

Is the site currently vacant?

- ◯ Yes
- ⊘ No

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

- ◯ Yes
- ⊘ No

Land where contamination is suspected for all or part of the site

- ◯ Yes
- ⊘ No

A proposed use that would be particularly vulnerable to the presence of contamination

- ◯ Yes
- ⊘ No

Materials

Does the proposed development require any materials to be used externally?

- ◯ Yes
- ⊘ No

Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicular access proposed to or from the public highway?

- ◯ Yes
- ⊘ No

Is a new or altered pedestrian access proposed to or from the public highway?

- ◯ Yes
- ⊘ No

Are there any new public roads to be provided within the site?

- ◯ Yes
- ⊘ No

Are there any new public rights of way to be provided within or adjacent to the site?

- ◯ Yes
- ⊘ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

- ◯ Yes
- ⊘ No

Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- (x) Yes
- ( ) No

Please provide information on the existing and proposed number of on-site parking spaces

Vehicle Type:
Cars

Existing number of spaces:
6

Total proposed (including spaces retained):
0

Difference in spaces:
-6

Vehicle Type:
Light goods vehicles / Public carrier vehicles

Existing number of spaces:
0

Total proposed (including spaces retained):
2

Difference in spaces:
2

Trees and Hedges

Are there trees or hedges on the proposed development site?

- ( ) Yes
- (x) No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- ( ) Yes
- (x) No

Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's Flood map for planning. You should also refer to national standing advice and your local planning authority requirements for information as necessary.)

- ( ) Yes
- (x) No

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

- ( ) Yes
- (x) No

Will the proposal increase the flood risk elsewhere?

- ( ) Yes
- (x) No

How will surface water be disposed of?

- [x] Sustainable drainage system
- [ ] Existing water course
- [x] Soakaway
- [ ] Main sewer
- [ ] Pond/lake

Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species

- ○ Yes, on the development site
- ○ Yes, on land adjacent to or near the proposed development
- ◉ No

b) Designated sites, important habitats or other biodiversity features

- ○ Yes, on the development site
- ○ Yes, on land adjacent to or near the proposed development
- ◉ No

c) Features of geological conservation importance

- ○ Yes, on the development site
- ○ Yes, on land adjacent to or near the proposed development
- ◉ No

Supporting information requirements

Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to determine the proposal.

Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the local planning authority has been submitted.

Your local planning authority will be able to advise on the content of any assessments that may be required.

Biodiversity net gain

Biodiversity net gain is a legal requirement for planning permission introduced on 12 February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase; or explain why the requirement does not apply to the development.

Do you believe that, if the development is granted permission, the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)) would apply?

- ◉ Yes
- ○ No

Please provide the pre-development biodiversity value of onsite habitats on the date of calculation

2.5

Please provide the date the onsite pre-development biodiversity value was calculated

29/05/2025

Note: This should be either the date of the application, or an earlier proposed date

If an earlier date, to the date of the planning application, has been used, please provide details why this date has been used

When was the version of the biodiversity metric used published?

23/07/2024

Please provide the reference or supporting document/plan names for the:
i. Biodiversity metric calculation
ii. Onsite irreplaceable habitats (if applicable)
iii. Onsite habitats existing on the date of the application for planning permission (if applicable)

Document/Plan:
Biodiversity metric calculation

Document name/reference:
Metric

Document/Plan:
Other (please specify)

Please specify:
BNG Statement

Document name/reference:
BNG Statement

Note: You must supply a complete biodiversity metric calculation with your application. Plans must be drawn to an identified scale, and show the direction of North.

Has there been any loss (or degradation) of any onsite habitat(s), resulting from activities carried out before the date the onsite pre-development biodiversity value was calculated. Either:
- on or after 30 January 2020 which were not in accordance with a planning permission; or
- on or after 25 August 2023 which were in accordance with a planning permission?

(✓) Yes
( ) No

Please provide the pre-development value of the onsite habitat before these activities were carried out

2.5

Please provide the date the pre-development biodiversity value was calculated?

29/05/2025

Please provide supporting evidence

small area of hedge removed 10 m

Does the development site have irreplaceable habitats (corresponding to the descriptions in Column 1 of the Schedule in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations (2023)) which are:
i. on land to which the application relates; and
ii. exist on the date of the application for planning permission, (or an earlier agreed date)

( ) Yes
(✓) No

Foul Sewage

Please state how foul sewage is to be disposed of:

- [ ] Mains sewer
- [ ] Septic tank
- [x] Package treatment plant
- [ ] Cess pit
- [ ] Other
- [ ] Unknown

Are you proposing to connect to the existing drainage system?

- ○ Yes
- ○ No
- ◉ Unknown

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

- ◉ Yes
- ○ No

If Yes, please provide details:

Council bins ample space

Have arrangements been made for the separate storage and collection of recyclable waste?

- ◉ Yes
- ○ No

If Yes, please provide details:

Recycling bins

Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

- ○ Yes
- ◉ No

Residential/Dwelling Units

Does your proposal include the gain, loss or change of use of residential units?

- ○ Yes
- ◉ No

All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?
Note that 'non-residential' in this context covers all uses except Use Class C3 Dwellinghouses.

- ○ Yes
- ☑ No

Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

- ○ Yes
- ☑ No

Hours of Opening

Are Hours of Opening relevant to this proposal?

- ○ Yes
- ☑ No

Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

- ○ Yes
- ☑ No

Is the proposal for a waste management development?

- ○ Yes
- ☑ No

Hazardous Substances

Does the proposal involve the use or storage of Hazardous Substances?

- ○ Yes
- ☑ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☑ Yes
- ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☑ The agent
- ○ The applicant
- ○ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ○ Yes
- ☑ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ○ Yes
- ☑ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- ☑ Yes
- ○ No

Is any of the land to which the application relates part of an Agricultural Holding?

- ○ Yes
- ☑ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of “agricultural tenant” in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- ○ The Applicant
- ☑ The Agent

Title

First Name

S

Surname

Carruthers

Declaration Date

27/05/2026

☑ Declaration made

Declaration

I/We hereby apply for Full planning permission as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

S Carruthers

Date

27/05/2026

Tunbridge Wells Borough Council

Ms B Harbour
C/O S Carruthers
32 Northgate Street
Beccles, NR34 9AS

29 May 2026

Dear Sir or Madam

APPLICATION NO:	**26/01194/FULL**
PROPOSAL:	**Change of use of land to allow the stationing of three static caravans and two touring caravans and ancillary works to meet the accommodation needs of a local extended Gypsy / Traveller family**
ADDRESS:	**The Barnfield, Church Road, Kilndown, Cranbrook, Kent,**
DATE RECEIVED:	**27 May 2026**

I have examined your application received on the date above. Unfortunately, the application as submitted is not valid and we require the following to be submitted to us **within 28 days**:

1 Existing & Proposed Block Plans - Please provide existing & proposed block plans (usually at 1:500 scale) showing the existing & proposed footprint of the property. This must be to scale and show a scale bar that measures correctly.

2 Proposed Floor Plans & Elevations - Please provide proposed floor plans & elevations of the proposed caravans, including a scale bar to match the stated scale. Each floor plan/elevation should be labelled to say which floor/elevation they show i.e. North Facing Elevation

3 Biodiversity Net Gain - The application form states that a Biodiversity Metric Calculation & BNG Statement should be submitted as part of this application. Please provide these documents.

If the above information is not received by 26 June 2026 we will then dispose of your application. This means that we will keep a digital copy of the documentation submitted and subsequent correspondence, but will dispose of all paper copies of plans and documents submitted unless you have, within the 28 days, confirmed in writing that you will collect the paper copies. We will also deduct a charge of £40.00 from the planning fee submitted to cover

the administrative time spent on assessing the validity of the application, before refunding the balance.

The only exceptional circumstances when we will not dispose of an invalid application after the 28 days are when:

- There has been written correspondence with yourself within the 28 day period and we are confident that the information which is outstanding to make the application valid will be received by us within 5 days;
- The application relates to a proposal for a significant major development (20 dwellings or more, 2000 square metre floor space new build or conversion or outline proposals capable of accommodating either of the above) as the timescales for resolving validation issues for such applications are often more complex and time consuming;
- We have received a notice under article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015: more information on such notices is available on the National Planning Practice Guidance website.

If we have requested documents, please either:

- e-mail a PDF version to planningvalidation@tunbridgewells.gov.uk, or
- post two copies to us

We would prefer if the documents were not added/amended on the Planning Portal as this process re-submits all the documents to us again and duplicates them on our system.

As soon as we receive all of the above we can proceed with the processing of the application. If the items you submit are still missing some of the information we need, we will contact you again.

Please quote the above application number in all correspondence with us.

Please note that we no longer accept cheques as a method of payment for planning application fees. Details of alternative payment methods can be found online here: http://www.tunbridgewells.gov.uk/residents/news/website-news-articles/2018/march/cheque-payments-for-planning-application-and-pre-application-fees

Yours faithfully

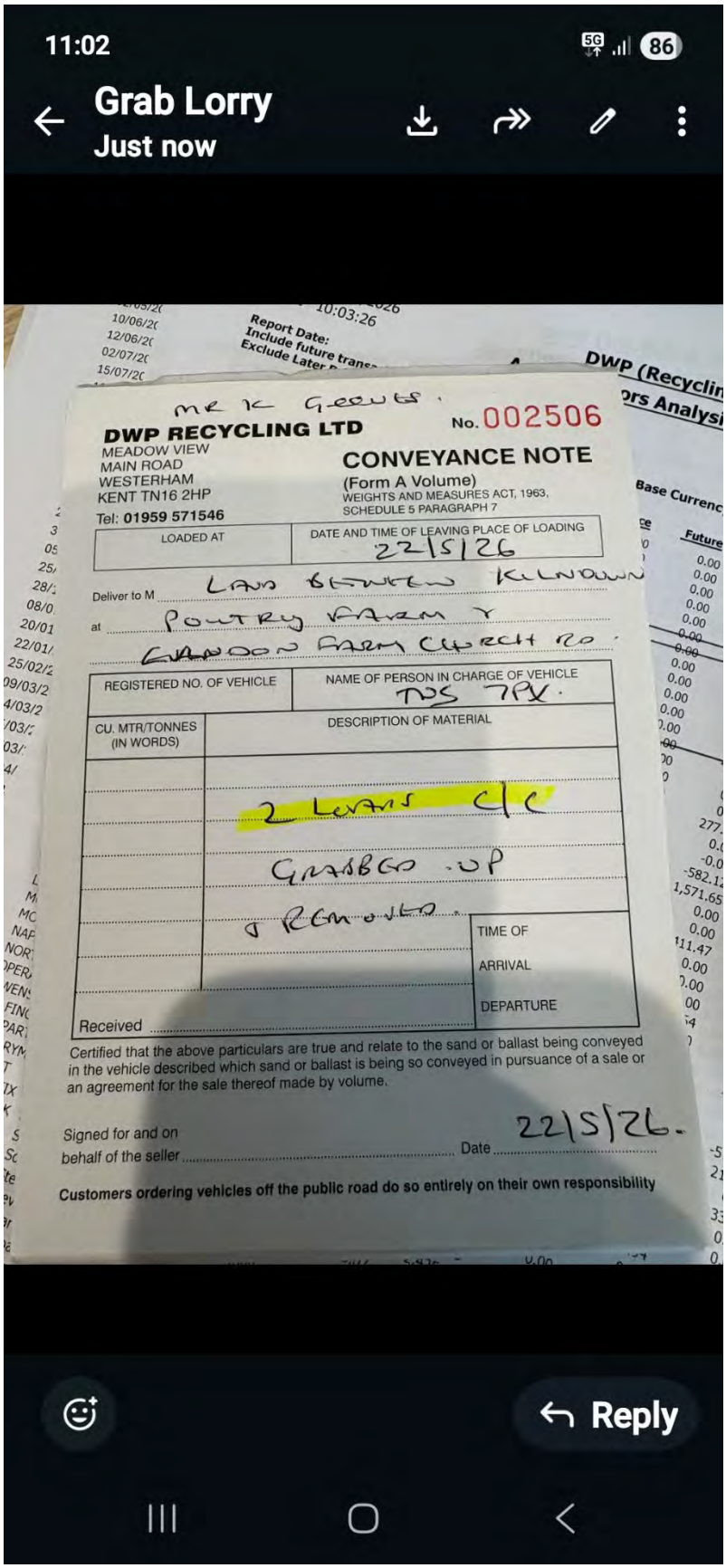
Planning Technical Team

AC/220 Photo sent from Keith Jeeves

AC/221 Photo from resident of plot 2 with missing fence panels

AC/222 photo from resident showing blocks on track

AC/223 Photo of ticket from grab hire company.



11:02

Grab Lorry
Just now

Mr K Greenes.

DWP RECYCLING LTD No. 002506
MEADOW VIEW
MAIN ROAD
WESTERHAM
KENT TN16 2HP
Tel: 01959 571546

CONVEYANCE NOTE
(Form A Volume)
WEIGHTS AND MEASURES ACT, 1963,
SCHEDULE 5 PARAGRAPH 7

LOADED AT	DATE AND TIME OF LEAVING PLACE OF LOADING
	22/5/26

Deliver to M LAND BETWEEN KILNDOWN
at POULTRY FARM Y
LANDON FARM CHURCH RD.

REGISTERED NO. OF VEHICLE	NAME OF PERSON IN CHARGE OF VEHICLE
	TDS 7PX.

CU. MTR/TONNES (IN WORDS)	DESCRIPTION OF MATERIAL
	2 LOADS C/C
	GRABBED UP
	& REMOVED.

TIME OF
ARRIVAL
DEPARTURE

Received

Certified that the above particulars are true and relate to the sand or ballast being conveyed in the vehicle described which sand or ballast is being so conveyed in pursuance of a sale or an agreement for the sale thereof made by volume.

Signed for and on behalf of the seller ..... Date 22/5/26.

Customers ordering vehicles off the public road do so entirely on their own responsibility

Reply

AC224 Amended claim form
6.6.2025

Claim Form (CPR Part 8)

As amended by order of Mr Justice Lavender on six June twenty twenty five

In the High Court of Justice, King's Bench Division	
Claim no.	
Fee Account no.	
Help with Fees - Ref no. (if applicable)	H W F - -

Claimant

Tunbridge Wells Borough Council
Town Hall, Mount Pleasant Road, Royal Tunbridge Wells TN1 1RS

HIGH COURT OF JUSTICE
20 May 2025
QUEEN'S BENCH DIVISION

KB-2025-001812

Defendant(s)

(1) Bill Lee, Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent, TN17 2RT; (2) Bill Leonard Lee, Four Oaks, Church Hill, Boughton, Monchelsea, Maidstone ME17 4BU; (3) Wesy Bill Wally Lee, Four Oaks, Church Hill, Boughton, Monchelsea, Maidstone ME17 4BU; (4) Roy Christopher Draper, Hill View, Meadow Lane, Wickford, Essex SS11 7DX; (5) Albie John Wilkins, Hawksbill, Morley Lane, Bicker PE20 3DP; (6) Persons Unknown, Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent, TN17 2RT

(7) KEITH JEEVES, Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent, TN17 2RT (8) CURTIS LOVE, The Meadows, Breach Lane, Upchurch, Sittingbourne, ME9 7PE (9) BONNY HARBOUR, Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent, TN17 2RT (10) JONNY BIGMORE, Land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent, TN17 2RT

Does your claim include any issues under the Human Rights Act 1998? ☐ Yes ☑ No

Details of claim (see also overleaf)

(enclosed)

Defendant's name and address

(1) Bill Lee, Land btw Kilndown ...TN17 2RT; (2) Bill Leonard Lee, Four Oaks, ME17 4BU; (3) Wesy Bill Wally Lee, Four Oaks, ME17 4BU; (4) Roy Christopher Draper, Hill View, SS11 7DX; (5) Albie John Wilkins PE20 3DP; (6) Persons Unknown, Land btw Kilndown ...TN17 2RT

	£
Court fee	646.00
Legal representative's costs	
Issue date	

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

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Claim no.	

Details of claim (continued)

Ivy Legal Limited
4th floor, 33 Cannon Street
London EC4M 5SB

enforcement@ivylegal.co.uk

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in these particulars of claim are true.

☑ **The Claimant believes** that the facts stated in these particulars of claim are true. **I am authorised** by the claimant to sign this statement.

Signature

Authorised representative of Ivy Legal Limited

☐ Claimant

☐ Litigation friend (where claimant is a child or a Protected Party)

☑ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
20	05	2025

Full name

Ivy Legal Limited

Name of claimant's legal representative's firm

Ivy Legal

If signing on behalf of firm or company give position or office held

Partner

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Certificate of service

Name of court	Claim No.
In the High Court of Justice Kings Bench Divsion	KB-2025-001812
Name of Claimant Tunbridge Wells Borough Council	
Name of Defendant Bill Lee and Others	

On what day did you serve? 02/07/2025

The date of service is 02/07/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

Covering Letter dated 30.06.25
Injunction Order 06.06.25
Amended Claim Form

On whom did you serve?
(If appropriate include their position e.g. partner, director).

Bill Leonard Lee; Wesy Bill Wally Lee; Albie John Wilkins; Persons Uknown; Keith Jeeves; Curtis Love; Bonny Harbour; Jonny Bigmore

How did you serve the documents?
(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☑ by delivering to or leaving at a permitted place
- ☐ by personally handing it to or leaving it with (.....time left, where document is other than a claim form) *(please specify)*
- ☐ by other means permitted by the court *(please specify)*
- ☐ by Document Exchange
- ☐ by fax machine (.....time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- ☐ by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Land between Kilndown Poultry Farm and Evanden Farm
Church Road, Kilndown, Cranbrook, Kent, TN17 2RT

Being the ☐ claimant's ☑ defendant's ☐ solicitor's ☐ litigation friend

- ☐ usual residence
- ☐ last known residence
- ☐ place of business
- ☐ principal place of business
- ☐ last known place of business
- ☐ last known principal place of business
- ☐ principal office of the partnership
- ☐ principal office of the corporation
- ☐ principal office of the company
- ☐ place of business of the partnership/company/corporation within the jurisdiction with a connection to claim
- ☑ other *(please specify)*

land subject to an Injunction Order dated 6 June 2025.

I believe that the facts stated in this certificate are true.

Full name: Andrew Culley

Signed: [signature]
(Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held: Planning Compliance Officer Tunbridge Wells Borough Council
(If signing on behalf of firm or company)

Date: 02/07/2025

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Certificate of service

Name of court	Claim No.
High Court, KBD	KB-2025-001812

Name of Claimant
Tunbridge Wells Borough Council

Name of Defendant
Bill Lee et al

On what day did you serve? 30/06/2025

The date of service is 02/07/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

Injunction Order of 6 June 2025; Amended Claim form

On whom did you serve?
(If appropriate include their position e.g. partner, director).

Albie Wilkins

How did you serve the documents?
(please tick the appropriate box)

- [x] by first class post or other service which provides for delivery on the next business day
- [ ] by delivering to or leaving at a permitted place
- [ ] by personally handing it to or leaving it with (.....time left, where document is other than a claim form) *(please specify)*
- [ ] by other means permitted by the court *(please specify)*
- [ ] by Document Exchange
- [ ] by fax machine (.....time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- [ ] by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Hawksbill, Morley Lane,
Bicker, PE20 3DP

Being the [ ] claimant's [ ] defendant's [ ] solicitor's [ ] litigation friend

- [ ] usual residence
- [x] last known residence
- [ ] place of business
- [ ] principal place of business
- [ ] last known place of business
- [ ] last known principal place of business
- [ ] principal office of the partnership
- [ ] principal office of the corporation
- [ ] principal office of the company
- [ ] place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- [ ] other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: Anneke Muller

Signed: [signature]
(Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held: Administrator
(If signing on behalf of firm or company)

Date: 30/06/2025

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Rules relating to the service of documents are contained in Part 6 of the Civil Procedure Rules (www.justice.gov.uk) and you should refer to the rules for information.

Calculation of deemed day of service of a claim
A claim form served within the UK in accordance with Part 6 of the Civil Procedure rules is deemed to be served on the second business day after the claimant has completed the steps required by CPR 7.5(1).

Calculation of the deemed day of service of documents other than the claim form (CPR 6.26)

Method of service	Deemed day of service
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Delivering the document to or leaving it at a permitted address	If it is delivered to or left at the permitted address on a business day before 4.30pm, on that day; or in any other case, on the next business day after that day
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Other electronic method	If the email or other electronic transmission is sent on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was sent
Personal service	If the document is served personally before 4.30pm on a business day, it is served on that day; or in any other case, on the next business day after that day

In this context 'business day' means any day except Saturday, Sunday or a bank holiday; (under the Banking and Financial Dealings Act 1971 in the part of the UK where service is to take place) includes Good Friday and Christmas Day.

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Certificate of service

Name of court	Claim No.
High Court, KBD	KB-2025-001812
Name of Claimant Tunbridge Wells Borough Council	
Name of Defendant Bill Lee et al	

On what day did you serve? 30/06/2025

The date of service is 02/07/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

Injunction Order of 6 June 2025; Amended Claim form

On whom did you serve?
(If appropriate include their position e.g. partner, director).

Albie Wilkins

How did you serve the documents?
(please tick the appropriate box)

- [x] by first class post or other service which provides for delivery on the next business day
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- [ ] by Document Exchange
- [ ] by fax machine (.....time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- [ ] by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Hawksbill, Morley Lane,
Bicker, PE20 3DP

Being the [ ] claimant's [ ] defendant's [ ] solicitor's [ ] litigation friend

- [ ] usual residence
- [x] last known residence
- [ ] place of business
- [ ] principal place of business
- [ ] last known place of business
- [ ] last known principal place of business
- [ ] principal office of the partnership
- [ ] principal office of the corporation
- [ ] principal office of the company
- [ ] place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- [ ] other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: Anneke Muller

Signed: (Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held: Administrator (If signing on behalf of firm or company)

Date: 30/06/2025

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Personal service	If the document is served personally before 4.30pm on a business day, it is served on that day; or in any other case, on the next business day after that day

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Certificate of service

Name of court	Claim No.
High Court, KBD	KB-2025-001812
Name of Claimant Tunbridge Wells Borough Council	
Name of Defendant Bill Lee et al	

On what day did you serve? 30/06/2025

The date of service is 02/07/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

Injunction Order of 6 June 2025; Amended Claim form

On whom did you serve?
(If appropriate include their position e.g. partner, director).

Albie Wilkins

How did you serve the documents?
(please tick the appropriate box)

- [x] by first class post or other service which provides for delivery on the next business day
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- [ ] by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Hawksbill, Morley Lane,
Bicker, PE20 3DP

Being the [ ] claimant's [ ] defendant's [ ] solicitor's [ ] litigation friend

- [ ] usual residence
- [x] last known residence
- [ ] place of business
- [ ] principal place of business
- [ ] last known place of business
- [ ] last known principal place of business
- [ ] principal office of the partnership
- [ ] principal office of the corporation
- [ ] principal office of the company
- [ ] place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- [ ] other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: Anneke Muller

Signed: [signature]
(Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held: Administrator
(If signing on behalf of firm or company)

Date: 30/06/2025

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Certificate of service

Name of court	Claim No.
High Court, KBD	KB-2025-001812

Name of Claimant
Tunbridge Wells Borough Council

Name of Defendant
Bill Lee et al

On what day did you serve? 30/06/2025

The date of service is 02/07/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

Injunction Order of 6 June 2025; Amended Claim form

On whom did you serve?
(If appropriate include their position e.g. partner, director).

Albie Wilkins

How did you serve the documents?
(please tick the appropriate box)

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Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Hawksbill, Morley Lane,
Bicker, PE20 3DP

Being the
- [ ] claimant's
- [ ] defendant's
- [ ] solicitor's
- [ ] litigation friend

- [ ] usual residence
- [x] last known residence
- [ ] place of business
- [ ] principal place of business
- [ ] last known place of business
- [ ] last known principal place of business
- [ ] principal office of the partnership
- [ ] principal office of the corporation
- [ ] principal office of the company
- [ ] place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- [ ] other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: Anneke Muller

Signed: (Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held: Administrator (If signing on behalf of firm or company)

Date: 30/06/2025

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AC230 n215-eng - Roy Christopher Draper

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Certificate of service

Name of court	Claim No.
High Court, KBD	KB-2025-001812

Name of Claimant
Tunbridge Wells Borough Council

Name of Defendant
Bill Lee et al

On what day did you serve? 30/06/2025

The date of service is 02/07/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

Injunction Order of 6 June 2025; Amended Claim form

On whom did you serve?
(If appropriate include their position e.g. partner, director).

Albie Wilkins

How did you serve the documents?
(please tick the appropriate box)

- [x] by first class post or other service which provides for delivery on the next business day
- [ ] by delivering to or leaving at a permitted place
- [ ] by personally handing it to or leaving it with (.....time left, where document is other than a claim form) *(please specify)*
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- [ ] by fax machine (.....time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- [ ] by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Hawksbill, Morley Lane,
Bicker, PE20 3DP

Being the
- [ ] claimant's
- [ ] defendant's
- [ ] solicitor's
- [ ] litigation friend

- [ ] usual residence
- [x] last known residence
- [ ] place of business
- [ ] principal place of business
- [ ] last known place of business
- [ ] last known principal place of business
- [ ] principal office of the partnership
- [ ] principal office of the corporation
- [ ] principal office of the company
- [ ] place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- [ ] other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: Anneke Muller

Signed: (Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held: Administrator (If signing on behalf of firm or company)

Date: 30/06/2025

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Rules relating to the service of documents are contained in Part 6 of the Civil Procedure Rules (www.justice.gov.uk) and you should refer to the rules for information.

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AC231 n215-eng - Wesy Bill Wally Lee

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Certificate of service

Name of court	Claim No.
High Court, KBD	KB-2025-001812

Name of Claimant
Tunbridge Wells Borough Council

Name of Defendant
Bill Lee et al

On what day did you serve? 30/06/2025

The date of service is 02/07/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

Injunction Order of 6 June 2025; Amended Claim form

On whom did you serve?
(If appropriate include their position e.g. partner, director).

Albie Wilkins

How did you serve the documents?
(please tick the appropriate box)

- [x] by first class post or other service which provides for delivery on the next business day
- [ ] by delivering to or leaving at a permitted place
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- [ ] by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Hawksbill, Morley Lane,
Bicker, PE20 3DP

Being the
- [ ] claimant's
- [ ] defendant's
- [ ] solicitor's
- [ ] litigation friend

- [ ] usual residence
- [x] last known residence
- [ ] place of business
- [ ] principal place of business
- [ ] last known place of business
- [ ] last known principal place of business
- [ ] principal office of the partnership
- [ ] principal office of the corporation
- [ ] principal office of the company
- [ ] place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- [ ] other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: Anneke Muller

Signed: (Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held: Administrator (If signing on behalf of firm or company)

Date: 30/06/2025

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Certificate of service

Name of court	Claim No.
IN THE HIGH COURT OF JUSTICE KING'S BENCH DIVISION	KB-2025-001812/1739
Name of Claimant TUNBRIDGE WELLS BOROUGH COUNCIL	
Name of Defendant BILL LEE	

On what day did you serve? 11/06/2025

The date of service is 11/06/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

COVERING LETTER FROM IVY LEGAL DATED 06 JUNE 2025 AND SEALED INJUNCTION ORDER DATED 06 JUNE 2025 WITH PENAL NOTICE

On whom did you serve?
(If appropriate include their position e.g. partner, director).

BILL LEE

How did you serve the documents?
(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☐ by delivering to or leaving at a permitted place
- ☐ by personally handing it to or leaving it with (time left, where document is other than a claim form) *(please specify)*
- ☑ by other means permitted by the court *(please specify)*

  AFFIXED TO THE OPEN FRONT DOOR OF HIS ADDRESS.
- ☐ by Document Exchange
- ☐ by fax machine (time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- ☐ by other electronic means (time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

FOUR OAKS, CHURCH HILL, BROUGHTON, MONCHELSEA, MAIDSTONE, KENT
ME17 4BU

Being the ☐ claimant's ☑ defendant's ☐ solicitor's ☐ litigation friend

- ☑ usual residence
- ☐ last known residence
- ☐ place of business
- ☐ principal place of business
- ☐ last known place of business
- ☐ last known principal place of business
- ☐ principal office of the partnership
- ☐ principal office of the corporation
- ☐ principal office of the company
- ☐ place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- ☐ other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: MARK DURANT

Signed: M Durant

(~~Claimant~~) (~~Defendant~~) (~~'s solicitor~~) (~~'s litigation friend~~)

Position or office held: PROCESS SERVER ON BEHALF OF IVY LEGAL

(If signing on behalf of firm or company)

Date: 13/06/2025

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Calculation of deemed day of service of a claim
A claim form served within the UK in accordance with Part 6 of the Civil Procedure rules is deemed to be served on the second business day after the claimant has completed the steps required by CPR 7.5(1).

Calculation of the deemed day of service of documents other than the claim form (CPR 6.26)

Method of service	Deemed day of service
First class post or other service which provides for delivery on the next business day	The second day after it was posted, left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Document exchange	The second day after it was left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Delivering the document to or leaving it at a permitted address	If it is delivered to or left at the permitted address on a business day before 4.30pm, on that day; or in any other case, on the next business day after that day
Fax	If the transmission of the fax is completed on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was transmitted
Other electronic method	If the email or other electronic transmission is sent on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was sent
Personal service	If the document is served personally before 4.30pm on a business day, it is served on that day; or in any other case, on the next business day after that day

In this context 'business day' means any day except Saturday, Sunday or a bank holiday; (under the Banking and Financial Dealings Act 1971 in the part of the UK where service is to take place) includes Good Friday and Christmas Day.

Click here to reset form | Click here to print form

Certificate of service

Name of court	Claim No.
IN THE HIGH COURT OF JUSTICE KING'S BENCH DIVISION	KB-2025-001812/1739

Name of Claimant
TUNBRIDGE WELLS BOROUGH COUNCIL

Name of Defendant
(4) ROY CHRISTOPHER DRAPER

On what day did you serve? 12/06/2025

The date of service is 13/06/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

COVERING LETTER FROM IVY LEGAL DATED 06 JUNE 2025 AND SEALED INJUNCTION ORDER DATED 06 JUNE 2025 WITH PENAL NOTICE

On whom did you serve?
(If appropriate include their position e.g. partner, director).

ROY CHRISTOPHER DRAPER

How did you serve the documents?
(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☐ by delivering to or leaving at a permitted place
- ☑ by personally handing it to or leaving it with (1800 .....time left, where document is other than a claim form) *(please specify)*
- ☐ by other means permitted by the court *(please specify)*
- ☐ by Document Exchange
- ☐ by fax machine (.....time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- ☐ by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

HILL VIEW, MEADOW LANE,
WICKFORD, ESSEX
SS11 7DX

Being the ☐ claimant's ☑ defendant's ☐ solicitor's ☐ litigation friend

- ☑ usual residence
- ☐ last known residence
- ☐ place of business
- ☐ principal place of business
- ☐ last known place of business
- ☐ last known principal place of business
- ☐ principal office of the partnership
- ☐ principal office of the corporation
- ☐ principal office of the company
- ☐ place of business of the partnership/company/ corporation within the jurisdiction with a connection to claim
- ☐ other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name PAMELA CLARKE

Signed (Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position or office held PROCESS SERVER ON BEHALF OF IVY LEGAL (If signing on behalf of firm or company)

Date 13/06/2025

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Certificate of service

Name of court	Claim No.
IN THE HIGH COURT OF JUSTICE KING'S BENCH DIVISION	KB-2025-001812/1739
Name of Claimant TUNBRIDGE WELLS BOROUGH COUNCIL	
Name of Defendant KEITH JEEVES	

On what day did you serve? 11/06/2025

The date of service is 12/06/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

COVERING LETTER FROM IVY LEGAL DATED 06 JUNE 2025 AND SEALED INJUNCTION ORDER DATED 06 JUNE 2025 WITH PENAL NOTICE

On whom did you serve?
(If appropriate include their position e.g. partner, director).

KEITH JEEVES

How did you serve the documents?
(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☐ by delivering to or leaving at a permitted place
- ☐ by personally handing it to or leaving it with (.....time left, where document is other than a claim form) *(please specify)*
- ☑ by other means permitted by the court *(please specify)*

  AFFIXED TO THE FRONT DOOR OF HIS ADDRESS AT 1720 HOURS
- ☐ by Document Exchange
- ☐ by fax machine (.....time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- ☐ by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

22 HIBBS CLOSE, SWANLEY
BR8 7FA

Being the ☐ claimant's ☑ defendant's ☐ solicitor's ☐ litigation friend

- ☑ usual residence
- ☐ last known residence
- ☐ place of business
- ☐ principal place of business
- ☐ last known place of business
- ☐ last known principal place of business
- ☐ principal office of the partnership
- ☐ principal office of the corporation
- ☐ principal office of the company
- ☐ place of business of the partnership/company/corporation within the jurisdiction with a connection to claim
- ☐ other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name MARK DURANT

Signed M Durant

~~(Claimant)~~ ~~(Defendant)~~ ~~('s solicitor)~~ ~~('s litigation friend)~~

Position or office held PROCESS SERVER ON BEHALF OF IVY LEGAL

(If signing on behalf of firm or company)

Date 13/06/2025

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Certificate of service

Name of court	Claim No.
IN THE HIGH COURT OF JUSTICE KING'S BENCH DIVISION	KB-2025-001812/1739
Name of Claimant TUNBRIDGE WELLS BOROUGH COUNCIL	
Name of Defendant CURTIS LOVE	

On what day did you serve? 12/06/2025

The date of service is 12/06/2025

What documents did you serve?
Please attach copies of the documents you have not already filed with the court.

COVERING LETTER FROM IVY LEGAL DATED 06 JUNE 2025 AND SEALED INJUNCTION ORDER DATED 06 JUNE 2025 WITH PENAL NOTICE

On whom did you serve?
(If appropriate include their position e.g. partner, director).

CURTIS LOVE

How did you serve the documents?
(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☐ by delivering to or leaving at a permitted place
- ☐ by personally handing it to or leaving it with (.....time left, where document is other than a claim form) *(please specify)*
- ☑ by other means permitted by the court *(please specify)*

  AFFIXED TO THE FRONT DOOR OF HIS ADDRESS IN THE PRESENCE OF HIS MOTHER AT 1320 HRS
- ☐ by Document Exchange
- ☐ by fax machine (.....time sent, where document is other than a claim form) *(you may want to enclose a copy of the transmission sheet)*
- ☐ by other electronic means (.....time sent, where document is other than a claim form) *(please specify)*

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

THE MEADOWS, BREACH LANE,
UPCHURCH, SITTINGBOURNE
ME9 7PE

Being the ☐ claimant's ☑ defendant's ☐ solicitor's ☐ litigation friend

- ☑ usual residence
- ☐ last known residence
- ☐ place of business
- ☐ principal place of business
- ☐ last known place of business
- ☐ last known principal place of business
- ☐ principal office of the partnership
- ☐ principal office of the corporation
- ☐ principal office of the company
- ☐ place of business of the partnership/company/corporation within the jurisdiction with a connection to claim
- ☐ other *(please specify)*

I believe that the facts stated in this certificate are true.

Full name: MARK DURANT

Signed: M Durant

~~(Claimant)~~ ~~(Defendant)~~ ~~('s solicitor)~~ ~~('s litigation friend)~~

Position or office held: PROCESS SERVER ON BEHALF OF IVY LEGAL

(If signing on behalf of firm or company)

Date: 13/06/2025

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Statement on behalf of the Claimant
Witness: Andrew Culley
8th Statement
Dated: 01/07/2026
Exhibits: AC/236 to AC/291

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-001812
Matter No. KB-2025-001739

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

EIGHTH WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990

(as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. I make this further witness statement in support of the Claimant's application to continue/vary the injunction granted by Mr Justice Lavender on 6th June 2025 which was extended on 4th June 2026 until further order by Malcolm Sheehan KC Sitting as a Deputy Judge of the High Court.

3. On Monday 1st June 2026 at approximately 17:10 hours I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer), to serve packs which included a copy of 'Notice of Change of legal representative (dated 01/06/26)' for the application to the High Court to continue/vary the Injunction Order dated 6th June 2025, and a QR code to access the hearing bundle filed with the court. I exhibit copies of the covering letters as **AC/236 to AC/245**, a copy of the Notice of Change of legal representative which I exhibit as **AC/246** as follows:

   i. On the gate of plot 6, 3 packs with covering letters addressed to BILL LEE, BILL LEONARD LEE, and PERSONS UNKNOWN, I exhibit photos **AC/247** and **AC/248**
   ii. On the gate of plot 5, 2 packs with covering letters addressed to ALBIE JOHN WILKINS and PERSONS UNKNOWN I exhibit photos as **AC/249 and AC/250**
   iii. On a post to the entrance to Plot 4, 4 packs with covering letters to KEITH JEEVES, BONNY HARBOUR, JONNY BIGMORE and PERSONS UNKNOWN I exhibit photos as **AC/251 to AC/253**
   iv. On the gate post to plot 3, 2 packs with covering letters to WESY BILL WALLY LEE and PERSONS UNKNOWN I exhibit photos as **AC/254** and **AC/255**
   v. On the gate of plot 2, 4 packs with covering letters to ROY CHRISTOPHER DRAPER, BILL LEE, BILL LEONARD LEE and PERSONS UNKNOWN I exhibit photos as **AC/256 to AC/258**
   vi. On a post rail of plot 1, 2 packs with covering letters to CURTIS LOVE and PERSONS UNKNOWN I exhibit photos as **AC/259 and AC/260**

4. When putting the packs on the gate of plot 5, the previous packs put on the gate on Tuesday 26th May 2026 had been removed. On previous occasions when packs had been placed here, they had not been removed and this gate is set back into the hedgerow and not generally visible at this time of year when driving due to vegetation. Whilst I cannot confirm, it does seem to me likely that the owner or a person with interest has been to the plot.

5. I also posted 6 packs at Five ways Post Office 35 Grosvenor Road, Tunbridge Wells which I exhibit the proof of postage as **AC/261** which were posted to:
    i. Curtis Love, The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE
    ii. Roy Christopher Draper, Hill View, Meadow Lane, Runwell, Wickford SS11 7DX
    iii. Wesy Bill Wally Lee , Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU
    iv. Albie John Wilkins, Hawksbill, Morley Lane, Bicker, Boston PE20 3DP
    v. Bill Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU
    vi. Bill Leonard Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU

6. On the 2nd June 2026 I emailed KEITH JEEVES to advise him of the documents which had been served on the land and also attached a copy of the covering letter and the Notice of Change of legal representative.

7. I understand that on 2nd June 2026, the owner of Hawksbill, Morley Lane, Bicker called HEATHER STEVENS, Team Leader (Contentious) at Mid Kent Legal Services, stating that he had received the letter addressed to ALBIE JOHN WILKINS, who does not live at the address and the owner does not know him.

8. On 3rd June 2026, I called KEITH JEEVES as I had a missed call and answer machine message asking to call him. He started by apologising for the swearing and language used last time I spoke to him, and for the trouble he had caused me by doing everything to the land and if STUART CARRUTHERS hadn't have said to just pull on the land he would never have done so. I spoke to him about the removal of the hardstanding, I advised him that although I understand fields do have some stones there was still a large amount of stone and brick pieces, if he was to rake and pick

them out, then this would satisfy me that the removal of the hardstanding for the Enforcement Notice was completed. He said he would get that done in the next fortnight along with removing the waste pipes and any other rubbish. That would just leave the planting of the hedgerow in the autumn which he would do providing he hasn't sold the land by then.

9. On the 4th June 2026 I attended the hearing at the Royal Courts of Justice. At the hearing CURTIS LOVE was present (this was the first time I had seen him), with his father DANNY LOVE who he wanted to speak on his behalf and WESY LEE's father. They all appeared to know each other. This was the first time I had met CURTIS LOVE. He appeared to be of a similar age to BILL LEONARD LEE, WESY LEE, BONNY HARBOUR and JONNY BIGMORE which makes me further believe that the Land had been purchased for them all to set up residence on the land.

10. At the hearing, as Curtis Love objected to the continuation of the Order, and confirmed that he wished to submit formal evidence, the hearing was adjourned.

11. Following the hearing, on 5th June 2026 at approximately 14:30 hours I attended the Land with my colleague LEANNE TARLING (Planning Investigations Officer), to serve packs which included a covering letter containing a QR code to access the court paper work and a copy of the injunction order dated 4th June 2026. I exhibit copies of the covering letters as **AC/262 to AC/271.** these were served in the following places:

    i. On a stake in plot 1, 1 pack addressed to persons unknown and a copy of the Order printed on waterproof paper. I exhibit photos as **AC/272 and AC/273**
    ii. On a post rail of plot 1, 2 packs with covering letters to CURTIS LOVE and PERSONS UNKNOWN I exhibit photos as **AC/274 and AC/275**
    iii. On the gate of plot 2, 4 packs with covering letters to ROY CHRISTOPHER DRAPER, BILL LEE, BILL LEONARD LEE and PERSONS UNKNOWN I exhibit photos as **AC/276 to AC/278**
    iv. On the gate post to plot 3, 2 packs with covering letters to WESY BILL WALLY LEE and PERSONS UNKNOWN I exhibit photos as **AC/279** and **AC/280**
    v. On a post to the entrance to Plot 4, 4 packs with covering letters to KEITH JEEVES, BONNY HARBOUR, JONNY BIGMORE and PERSONS UNKNOWN I exhibit photos as **AC/281 to AC/283**

vi. On the gate of plot 5, 2 packs with covering letters addressed to ALBIE JOHN WILKINS and PERSONS UNKNOWN I exhibit photos as **AC/284 and AC/285**

vii. On the gate of plot 6, 3 packs with covering letters addressed to BILL LEE, BILL LEONARD LEE, and PERSONS UNKNOWN, I exhibit photos **AC/286** and **AC/287**

12. I also posted 5 packs, using the post room at Tunbridge Wells Borough Council and received a copy of the recorded delivery references which I exhibit as **AC/288.** The packs were sent to:

i. Curtis Love, The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE

ii. Roy Christopher Draper, Hill View, Meadow Lane, Runwell, Wickford SS11 7DX

iii. Wesy Bill Wally Lee , Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU

iv. Bill Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU

v. Bill Leonard Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU

13. I also emailed to KEITH JEEVES and CURTIS LOVE copies of their respective covering letters together with the Injunction Order dated 4 June 2026 and advised that copies had also been served on the land.

14. On 22nd June 2026, I received a copy of an email sent by CURTIS LOVE to HEATHER STEVENS which was subsequently forwarded to me. The email itself is not a sworn statement and does not contain a statement of truth. Within the email, CURTIS LOVE states that the purchase of the land was for investment purposes only. I find this assertion difficult to reconcile with the nature of the land, particularly given the improbability of it being held as an investment without any intention of future development.

15. According to HM Land Registry records, CURTIS LOVE purchased the land for £60,000 on 8 August 2024 (exhibit **AC/127** of my witness statement 6). This is notably higher than comparable nearby plots: Plot 2, of a similar size, was purchased for

£20,000 on 4 September 2024 by ROY CHRISTOPHER DRAPER (exhibit **AC/128** of my witness statement 6), and Plot 3, approximately double the size, was purchased for £18,000 on 4 September 2024 by WESY BILL WALLY LEE (exhibit **AC/129** of my witness statement 6).

16. CURTIS LOVE's email further states: *"If in future I decide to do anything with the land, I would do it right way and not break my laws."* This wording is ambiguous. It may reflect a language error, as the phrase "my laws" is unclear and may not refer to planning legislation. In any event, if it is a typo and should state "any", it does still reveal an intention to develop the Land in the future. As it is an email, it cannot be taken as a guarantee that planning legislation would not be breached.

17. Furthermore, the likelihood of lawful development on the land is extremely limited, as outlined in Policy and Considerations by LUCINDA ROACH exhibited in my witness statement 6.

18. On the 25th June 2026 HEATHER STEVENS made me aware that she had received a call from ALBIE WILKINS and that she had advised him to seek legal advice and had provided her with an email address. I attach a note of her call with him as Exhibit **AC/289** and an email sent to ALBIE WILKINS as Exhibit **AC/290.**

19. On 1 July 2026, I received an email from Goudhurst Parish Council with an undated letter attached. The letter has not informed the Council's decision-making process in relation to action on the Land. However, I exhibit the letter as **AC/291** to provide further context in relation to the Land and the area and any potential development.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

Dated: 01/07/2026

Tunbridge Wells Borough Council

Albie John Wilkins
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Mr Wilkins,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

Further to our letter dated 26 May 2026 we enclose by way of service:

1. Notice of change of legal representative (dated 01/06/26)

In addition, we can confirm that a hearing bundle has been filed with the Court and this can now be accessed via the QR code at the end of this letter.

The hearing remains listed on **4 June 2026.** The Judge and time of the hearing will be confirmed on the working day before on the Daily Cause List (from 3pm):

https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list

We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/237

Tunbridge Wells Borough Council

Bonnie Harbour
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Ms Harbour,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

Further to our letter dated 26 May 2026 we enclose by way of service:

1. Notice of change of legal representative (dated 01/06/26)

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https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list

We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/238

Tunbridge Wells Borough Council

Bill Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

Tunbridge Wells Borough Council

Bill Leonard Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

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We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/240

Tunbridge Wells Borough Council

Curtis Love
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1June 2026**

Dear Mr Love,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/241

Tunbridge Wells Borough Council

Jonny Bigmore
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Mr Bigmore,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

Tunbridge Wells Borough Council

Keith Jeeves
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Mr Jeeves,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/243

Tunbridge Wells Borough Council

Persons Unknown
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Sir/Madam,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/244

Tunbridge Wells Borough Council

Roy Christopher Draper
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Mr Draper,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/245

Tunbridge Wells Borough Council

Wesy Bill Wally Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **1 June 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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We must advise you to seek legal advice immediately.

Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services

For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer
For Tunbridge Wells Borough Council

QR CODE FOR LINK TO HEARING BUNDLE:

AC/246
Notice of change of legal representative

Click here to reset form | Click here to print form

In the High Court of Justice Kings Bench Division	Claim No. KB-2025-001812 KB-2025 001739
Name of Claimant *(including ref.)* Tunbridge Wells Borough Council (T021871)	
Name of Defendant Bill Lee and Others	

Note:
You should tick either box A **or** B as appropriate **and** box C. Complete details as necessary.

I (We) give notice that

A ☐ my legal representative *(insert name and address)*

has ceased to act for me and I shall now be acting in person.

B ☑ we *(insert name of legal representative)*

Mid Kent Legal Services

have been instructed to act on behalf of the claimant (defendant) in this claim

in place of *(insert name and address of previous legal representative)*.

IVY Legal, Office 2.05, Clockwise, Old Town Hall, 30 Tweedy Road, Bromley, BR1 3FE

C ☑ I (we) have served notice of this change on every party to the claim (and on the former legal representative).

Address to which documents about this claim should be sent (including any reference)

Tunbridge Wells Borough Council Town Hall Mount Pleasant Road Royal Tunbridge Wells Kent Postcode TN1 1RS	If applicable	
	Telephone no.	01622 602126
	Fax no.	
	DX no.	
	Your ref.	T021871

E-mail	heather.stevens@midkent.gov.uk

Signed *Claudette Valmond*
(Claimant)(Defendant)('s legal representative)
(Litigation friend)

Position or office held Head of Legal Partnership
If signing on behalf of firm or company

Date 01/06/2026

For further details of the courts www.gov.uk/find-court-tribunal
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

© Crown copyright 2014

AC/247

AC/248

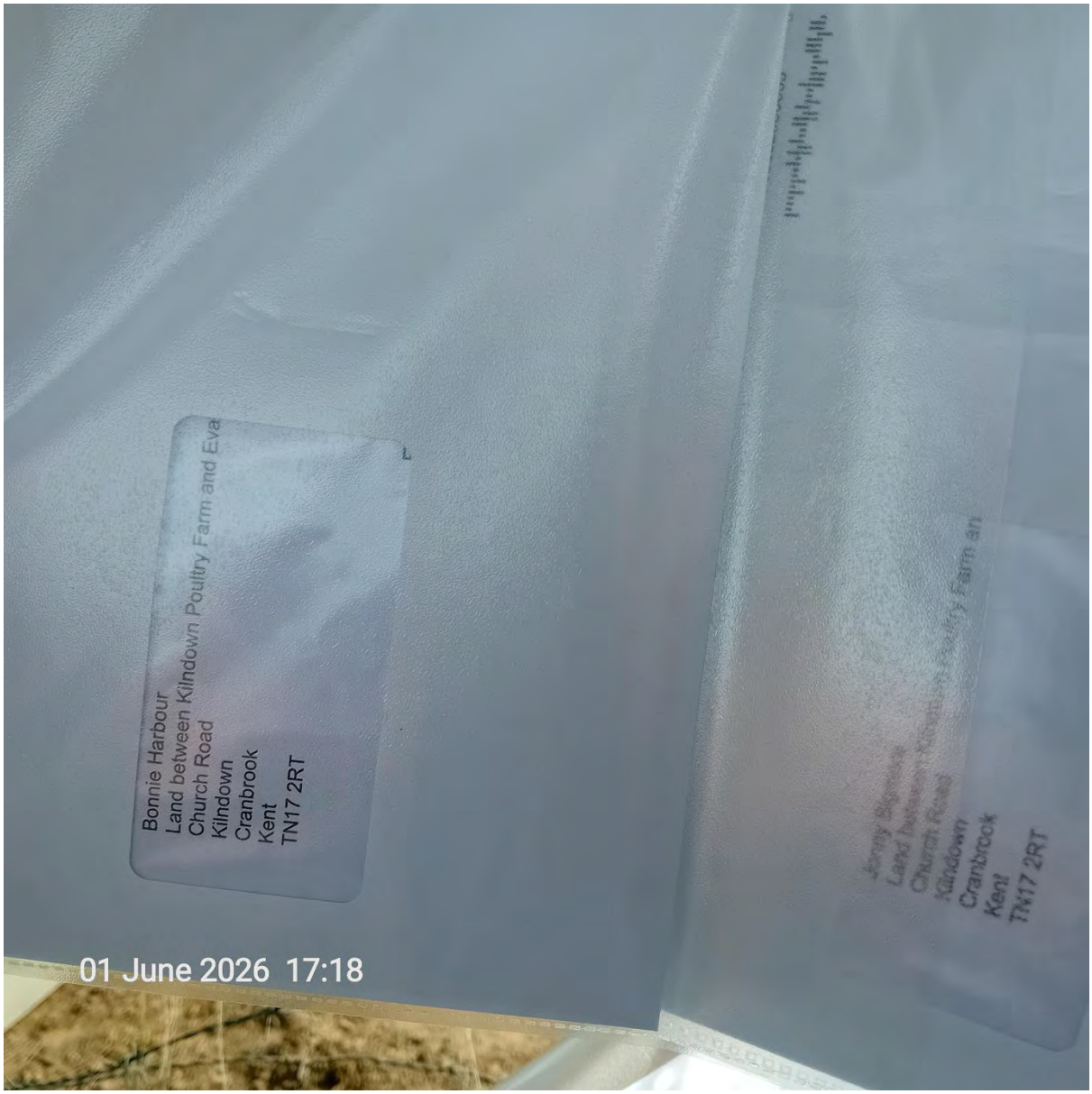
Bill Lewis
Land between Kindown Poultry Farm and
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Bill Lewis
Land between Kindown Poultry Farm and
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Personal Collection
Land between Kindown Poultry Farm and
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:10

AC/249

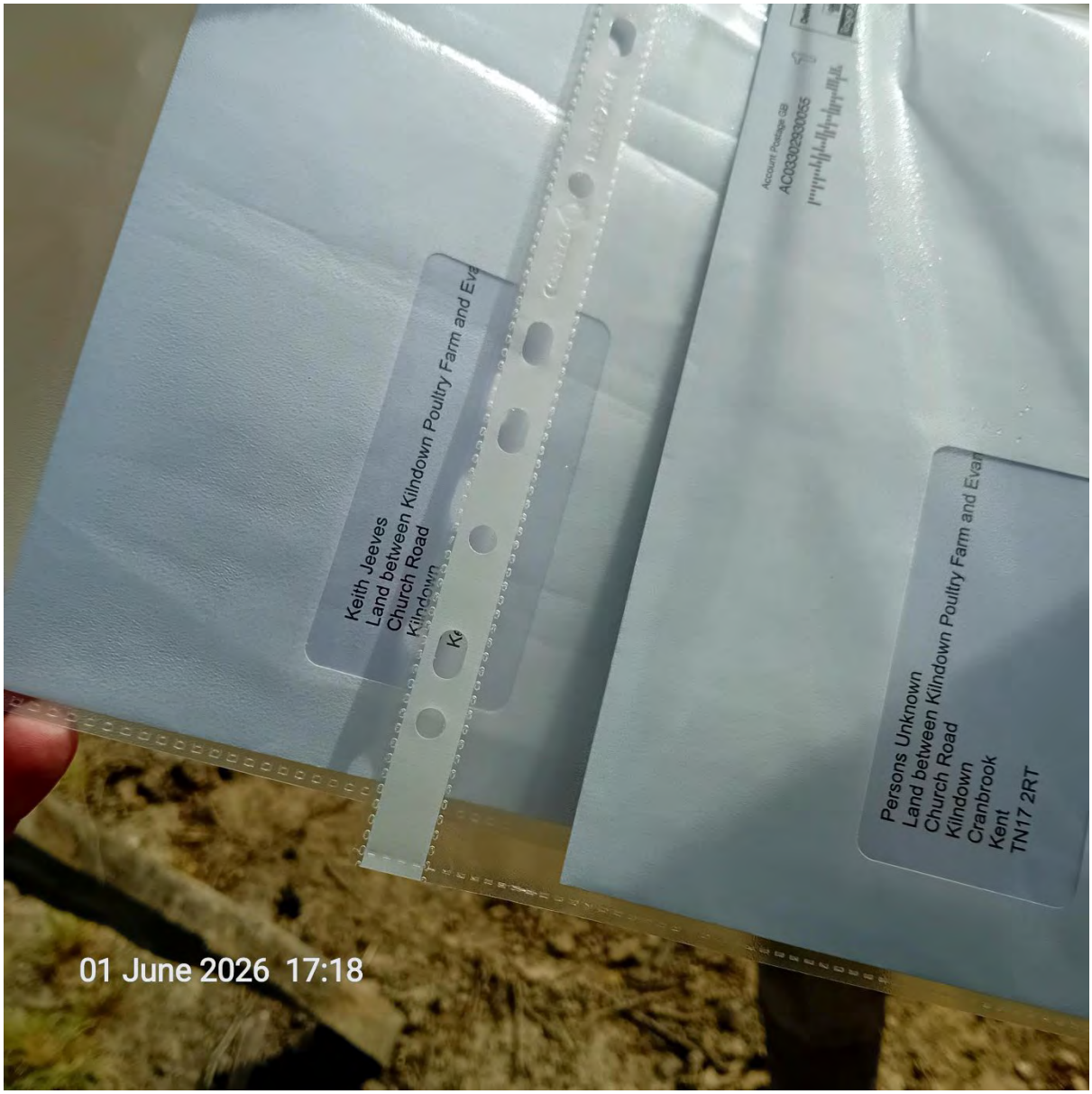
Delivered by
Royal Mail
Account Postage GB
AC03302930055
1
Persons Unknown
Land between Kilndown Poultry Farm a
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Delivered by
Royal Mail
Account Postage GB
AC03302930055
1
Albie John Wilkins
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:13

AC/250

AC/251


Bonnie Harbour
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:18
Jenny Bigelow
Land between Kilndown Poultry Farm an
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

AC/252


Keith Jeeves
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Account Postage GB
AC03002930055
Persons Unknown
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:18

AC/253

AC/254

Persons Unknown
Land between Kilndown Poultry Farm and
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:20
Wesy Bill Wally Lee
Land between Kilndown Poultry Farm and
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
AC03302930055

AC/255

AC/256

Account Postage GB
AC03302930055
1
Delivered by
Royal Mail
Persons Unknown
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Account Postage GB
AC03302930055
1
Delivered by
Royal Mail
Roy Christopher Draper
Land between Kilndown Poultry Farm and
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:22

AC/257

Delivered by
Royal Mail
Account Postage GB
AC0302930055
1
Bill Lee
Land between Kilndown Poultry Farm and Evar
Church Road
Kilndown
Cranbrook
VIKING
DIRECT
Delivered by
Royal Mail
Account Postage GB
AC0302930055
1
Bill Leonard Lee
Land between Kilndown Poultry Farm and E
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:22

AC/258

AC/259

Persons Unknown
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
01 June 2026 17:23
Account Postage GB
AC03302930055
Curtis Love
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

AC/260

Post Office Ltd.
www.postoffice.co.uk

01/06/2026 16:11 TP:02 BP:01 SU: CC
Five Ways FAD: 0149489
35 Grosvenor Road
Tunbridge Wells
Kent
TN1 2AN

Session Id: 2-205116
Txn Id: 3

Session Id: 2-205116

Horizon Certificate of Posting

Items addressed as follows:-

Service: Cert of Posting Inland
Building Name or No: HAWKSBILL
PostCode/Zip Code: PE203DP

Service: Cert of Posting Inland
Building Name or No: FOUR OAKS
PostCode/Zip Code: ME174BU

Service: Cert of Posting Inland
Building Name or No: FOUR OAKS
PostCode/Zip Code: ME174BU

Service: Cert of Posting Inland
Building Name or No: FOUR OAKS
PostCode/Zip Code: ME174BU

Service: Cert of Posting Inland
Building Name or No: HILL VIEW
PostCode/Zip Code: SS117DX

Service: Cert of Posting Inland
Building Name or No: THE MEADOWS
PostCode/Zip Code: ME97PE

Have been accepted here today.

It is important that you retain this
receipt as it is your Proof Of Posting.

Please refer to Separate Terms and
Conditions.

This is not a VAT receipt

AC/262

Tunbridge Wells Borough Council

Albie John Wilkins
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Wilkins,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

Further to our letters dated 26 May 2026 and 1 June 2026 we enclose by way of service:

1. Injunction Order dated 4 June 2026

The case will be listed for a further hearing after 16 July 2026 on a date to be confirmed. We must advise you to seek legal advice immediately. Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/263

Tunbridge Wells Borough Council

Bonnie Harbour
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Ms Harbour,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

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Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

Tunbridge Wells Borough Council

Bill Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/265

Tunbridge Wells Borough Council

Bill Leonard Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

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Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

Tunbridge Wells Borough Council

Curtis Love
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Love,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

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Heather Stevens

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Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/267

Tunbridge Wells Borough Council

Jonny Bigmore
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Bigmore,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

Further to our letters dated 26 May 2026 and 1 June 2026 we enclose by way of service:

1. Injunction Order dated 4 June 2026

The case will be listed for a further hearing after 16 July 2026 on a date to be confirmed. We must advise you to seek legal advice immediately. Please acknowledge safe receipt of this letter and its enclosures.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/268

Tunbridge Wells Borough Council

Keith Jeeves
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Jeeves,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/269

Tunbridge Wells Borough Council

Persons Unknown
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Sir/Madam,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

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Yours sincerely,

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Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/270

Tunbridge Wells Borough Council

Roy Christopher Draper
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Draper,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/271

Tunbridge Wells Borough Council

Wesy Bill Wally Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **5 June 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 / KB-2025-001739 – HIGH COURT INJUNCTION ORDER

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

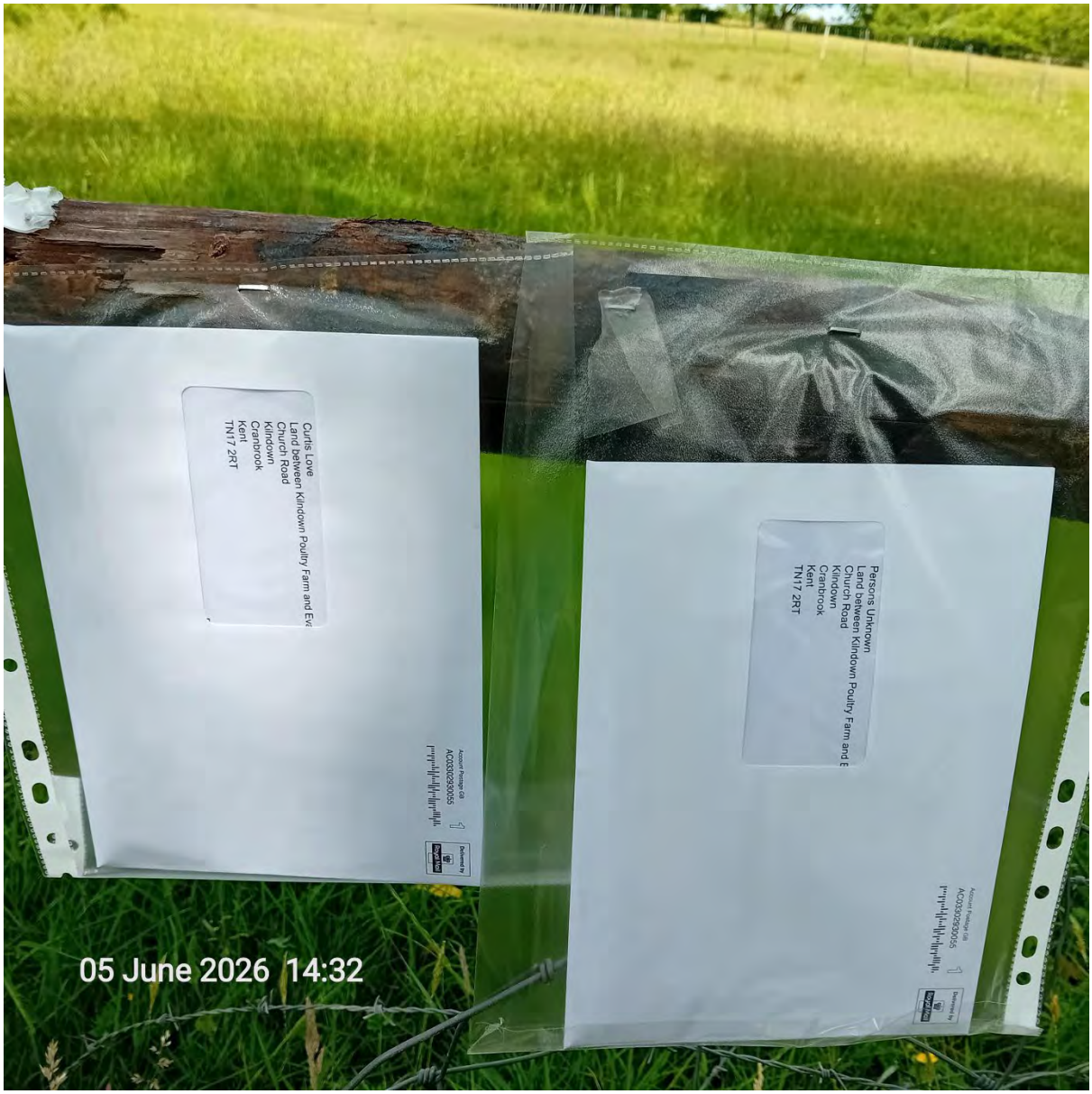
QR CODE FOR CASE PAPERS

AC/272

AC273

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
IN THE MATTER OF S.187B OF THE TOWN AND COUNTRY PLANNING ACT 1990
MR MALCOLM SHEEHAN KC (SITTING AS A DEPUTY JUDGE OF THE HIGH COURT)
DATED 4th JUNE 2026
B E T W E E N : -
TUNBRIDGE WELLS BOROUGH COUNCIL
and
(1) BILL LEE
(2) BILL LEONARD LEE
(3) BILL WALLY LEE
(4) ROY CHRISTOPHER LEE
(5) ALBIE JOHN HYLAND
(6) PERSONS UNKNOWN
(7) BONNY HARBOUR
(8) CURTIS LOVE
(9) KEITH LOVE
(10) BONNY BIGMORE
(11) JONNY BIGMORE
Claim No. KB-2025-001811
Master no. KB-2025-001815
Claimant
Defendants
KB-2022-001812
04 JUN 2026
Clerk
INJUNCTION ORDER
PENAL NOTICE
IF YOU THE WITHIN NAMED: BILL LEE, BILL LEONARD LEE, WILL BILL WALLY LEE, ROY CHRISTOPHER DRAPER, ALBIE JOHN HYLAND, KEITH HEYES, CURTIS LOVE, BONNY HARBOUR, BONNY BIGMORE AND PERSONS UNKNOWN
DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.
05 June 2026 14:31

AC/274


Curtis Love
Land between Kilndown Poultry Farm and Eva
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Account Postage GB
AC033029230055
Delivered by
Royal Mail
Persons Unknown
Land between Kilndown Poultry Farm and E
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Account Postage GB
AC033029230055
Delivered by
Royal Mail
05 June 2026 14:32

AC/275

AC/276

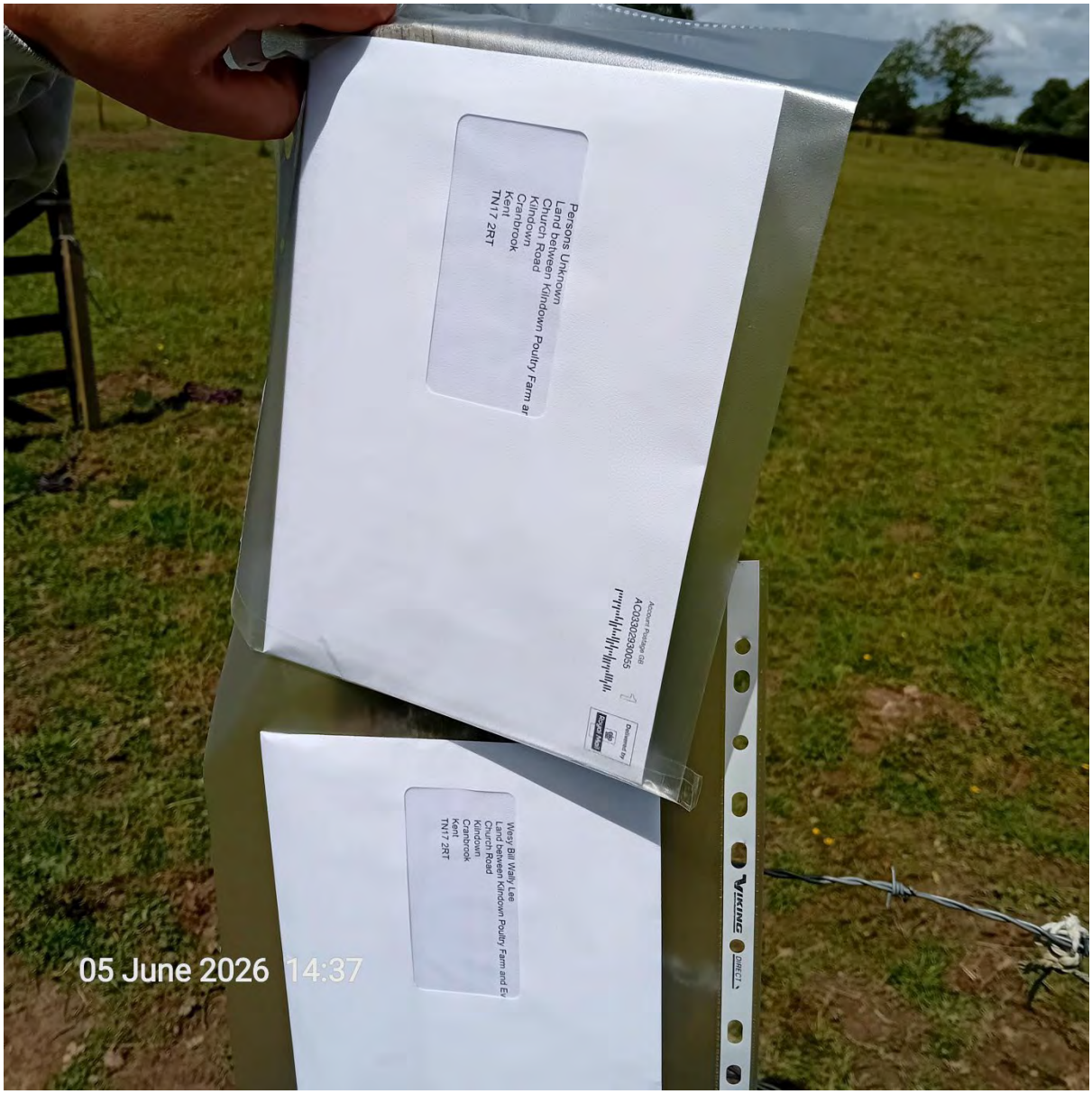
Account Postage GB
AC030230305S5
Delivered by
Royal Mail
Persons Unknown
Land between Kilndown Poultry Farm and
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Account Postage GB
AC030230305S5
DATE 14/26
Land between Kilndown Poultry Farm and E
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
05 June 2026 14:34

AC/277

Account Postage GB
ACC0302830055
Roy Christopher Draper
Land between Kindown Poultry Farm and Ev
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Bill Leonard Lee
Land between Kindown Poultry Farm and Ev
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
05 June 2026 14:34

AC/278

AC/279

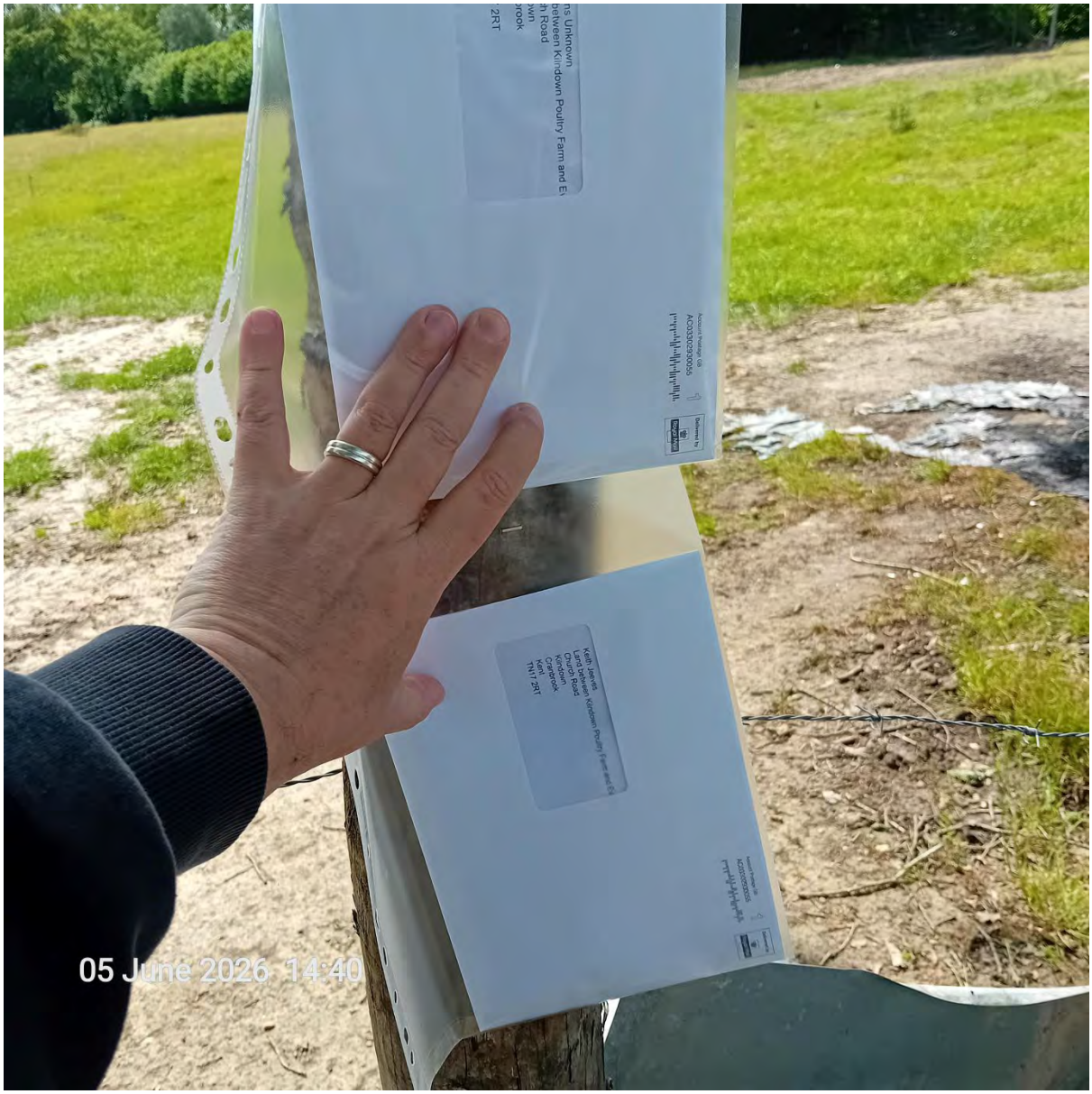

Account Postage GB
AC030303030055
Delivered by
Royal Mail
Persons Unknown
Land between Kilndown Poultry Farm ar
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Wesy Bill Walky Lee
Land between Kilndown Poultry Farm and Ev
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
VIKING
DIRECT
05 June 2026 14:37

AC/280

AC/281

Bonnie Harbour
Land between Kindown Poultry Farm and
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Account number GB
AC035295095
Delivered by
Royal Mail
Jenny Bignore
Land between Kindown Poultry Farm and Ex
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
05 June 2026 14:40

AC/282


Return Postage Guide
AC0000000005
Return Postage Guide
AC0000000006
Mr Jenns
Land between Kindown Poultry Farm and El
Church Road
Kindown
Staplehurst
Kent
TN17 2RT
ns Unknown
between Kindown Poultry Farm and El
h Road
wn
rook
2RT
05 June 2026 14:40

AC/283

AC/284

AC/285

Account Postage GB
AC03302930055
1
Delivered by
Royal Mail
Persons Unknown
Land between Kilndown Poultry Farm and Ex
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Account Postage GB
AC03302930055
1
Delivered by
Royal Mail
Land between Kilndown Poultry Farm and
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
05 June 2026 14:44

AC/286

Delivered by
AC03030930055
Land between Kittown Poultry Farm and E
Church Road
Kittown
Cranbrook
Kent
TN17 2RT
05 June 2026 14:47

AC/287

Signed For / Special Delivery receipt

Tunbridge Wells Borough Council
Mount Pleasant Road, Tunbridge Wells, Kent. TN1 1RS

Senders name	Andrew Culley	Dept.	Planning

Postal Class = 1st/24 or 2nd/48	Postal type = Signed for [SF] / Special Delivery [SD]

Postal Class & Type	Recipient	Address	Postcode	Tracking Ref (for office use)
1st SF	CURTIS LOVE	The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE	ME9 7PE	BN 9862 9434 3GB
1st SF	ROY CHRISTOPHER DRAPER	Hill View, Meadow Lane, Runwell, Wickford	SS11 7DX	BN 9862 9435 7GB
1st SF	WESY BILL WALLY LEE	Four Oaks, Church Hill, Boughton Monchelsea, Maidstone	ME17 4BU	BN 9862 9436 5GB
1st SF	BILL LEE	Four Oaks, Church Hill, Boughton Monchelsea, Maidstone	ME17 4BU	BN 9862 9437 4GB
1st SF	BILL LEONARD LEE	Four Oaks, Church Hill, Boughton Monchelsea, Maidstone	ME17 4BU	BN 9862 9438 8GB
1st SF				

Total no. items	Date	Accepting officers signature
~~1~~ 5	05/06/2026	

Call from Albie Wilkins ([redacted]) at 15:16 on 25/06/26

AW has picked up a letter from his land in Flimwell.

Asking what has happened, I don't understand?

HS explains that an injunction was granted last year and the Council is seeking to extend its duration.

AW: I have not done anything on the land. Just bought a bit of land, don't understand why there is an injunction, on what basis?

HS advises that the evidence in support of the application can be accessed via the QR code on the letter and that AW should seek urgent legal advice.

AW: I'm confused, not put in no planning application, just got a bit of land. What should I do?

HS advises that we do not yet have a hearing date, but AW may want to submit evidence in response to the Council's application to the Court, which may be interested in why he bought the land and what his intentions are.

AW: I bought the land because it is a nice area and road, someone gave me the opportunity to buy it, so I did. My intentions with the land... I just have a bit of land, at the moment, I am not interested in putting in an application, it is a field to me, but I am like what the fuck... We should not all be tarred with the same brush. I don't get it. I have owned the property for nearly two years. I have no reason to put in any applications at all.

HS again advises that AW should seek legal advice and that we cannot advise on what evidence to provide to the Court.

AW states he will speak to his legal team and get back to HS.

AW confirms his contact email address: [redacted]

HS to email AW reiterating need to seek urgent legal advice and if AW wishes to submit evidence that this should be filed/served asap.

From: Heather Stevens
To: [redacted]
Subject: Injunction Order at Kilndown
Date: 26 June 2026 11:59:40
Attachments: image.png
image.png

Dear Mr Wilkins,

Thank you for your call yesterday, confirming that you have received the Council's letter relating to the Injunction on your land at Kilndown.

As we discussed, I would advise that you seek urgent legal advice in relation to the Council's application to extend/vary the Injunction Order.

If you wish to submit evidence to the Court in response to the Council's application, this should be filed with the Court and served on the Council as soon as possible. Ideally, this evidence should be provided to us before **4pm on 30 June 2026**, to enable us to meet a deadline contained in the current Order.

I will copy you into correspondence that I send to the Court regarding the listing of the next hearing.

If you have any questions, please do contact me and kindly confirm that you have received this email.

Kind regards,

Heather Stevens
Team Leader (Contentious)
Mid Kent Legal Services, Maidstone, Swale and Tunbridge Wells Borough Councils
t 01622 602126

The contents of this email, together with any attachments, may be confidential or subject to legal professional privilege. It should not be shared with anyone without first consulting Mid Kent Legal Services. If you are not the intended recipient, please do not forward this email or the attachments to anybody. Please notify the sender and delete all copies of this email from your system.

Ref: T021871 / 1868060

Goudhurst Parish Council

Chairman of the Council
Cllr Phil Kirkby
Phil.kirkby@goudhurst-pc.gov.uk

Clerk to the Council
Kat Hoyle
3 Fountain House
High Street
Goudhurst TN17 1AL
Telephone: 01580 212552
clerk@goudhurst-pc.gov.uk
http://goudhurst-pc.gov.uk

For the attention of Andrew Culley

Tunbridge Wells Borough Council
Planning Department
Mount Pleasant Rd
Tunbridge Wells
TN1 1RS

Kilndown, Kent –
Summary of Landscape, Environmental and Planning Significance

Dear Mr Culley,

On behalf of Goudhurst Parish Council, please find below a short note outlining the landscape, environmental and historic significance of Kilndown. We would be grateful if this could be included within the court bundle for the forthcoming hearing, as it provides relevant context regarding the village and the sensitivity of its setting

Kilndown is one of Kent's smallest rural settlements, with an estimated population of 250–350 residents living in approximately 120–140 households. It forms part of the civil parish of Goudhurst but retains its own distinct identity as a dispersed woodland village centred on Christ Church, the Village Green and surrounding lanes.

Despite its modest size, Kilndown occupies one of the most environmentally significant locations in Kent. The village lies wholly within the High Weald National Landscape, one of England's most important protected landscapes, recognised nationally for its exceptional natural beauty, extensive ancient woodland, medieval field patterns, historic routeways and remarkable sense of tranquillity.

An Exceptional Environmental Setting

Kilndown is surrounded by one of the largest interconnected woodland landscapes in South East England. Within only a few kilometres are:

- Bedgebury National Pinetum and Forest, internationally recognised for its globally important conifer collection.
- Bedgebury Forest SSSI.

- Combwell Wood SSSI, designated for its ancient woodland, rare bryophytes and woodland ecology.
- Scotney Castle SSSI and the surrounding National Trust estate.
- Bewl Water SSSI.
- Extensive areas of Ancient Woodland Inventory and priority woodland habitat.

This concentration of nationally designated sites provides exceptional habitat connectivity for woodland birds, mammals, bats, fungi, invertebrates and rare plants, making the area one of the most biodiverse woodland landscapes in Kent.

Landscape Importance

The High Weald is widely regarded as one of the best-preserved medieval landscapes in Europe. Around Kilndown the landscape retains its historic character through ancient woodland, sandstone ridges, deeply incised ghyll valleys, traditional hedgerows, scattered farmsteads, historic routeways and small irregular fields that have changed little over several centuries.

The village benefits from exceptionally dark skies, low levels of noise and a strong sense of remoteness, qualities that contribute significantly to its landscape value and recreational appeal.

Population and Settlement Character

Kilndown remains a very small, low-density settlement. Unlike larger villages, it has only limited local facilities and relies upon nearby Goudhurst, Hawkhurst, Cranbrook and Royal Tunbridge Wells for many everyday services.

Its relatively small population, limited development footprint and surrounding woodland reinforce its quiet rural character and contribute to its high environmental quality.

Planning Context

Tunbridge Wells Borough Council has consistently identified Kilndown as one of the least sustainable settlements in the Borough for accommodating additional development.

This assessment is based on:

- a very small resident population;
- limited local services and employment;
- the absence of a primary school and convenience shopping;
- very limited public transport (one bus a day);
- reliance on private vehicles for most journeys; and
- significant environmental and landscape constraints arising from its location within the High Weald National Landscape and adjacent nationally designated wildlife sites.

Importantly, the term “unsustainable” in planning policy refers to the settlement’s limited capacity to accommodate substantial new development. It does not reflect the

environmental quality of the village. On the contrary, Kilndown is recognised as being of exceptionally high landscape and ecological value.

"A series of small pastures within a relatively flat landscape in which short-range views are framed by surrounding tree cover and where the absence of significant built form is a defining characteristic"

NPI Mark Harbottle BSc MRTPI an Inspector appointed by Secretary of State 7th October 2025

Conclusion

Kilndown's significance lies not in its capacity for growth, but in the quality of its landscape, biodiversity and historic environment. It represents one of Kent's most environmentally valuable rural settlements, where nationally protected landscapes, ancient woodland and important wildlife habitats combine to create an outstanding setting for conservation, environmental education, scientific study and carefully managed community use.

Its unique combination of natural beauty, ecological importance and historic character makes Kilndown an exceptional location for projects focused on environmental stewardship, outdoor learning, heritage conservation and sustainable land management.

Yours Sincerely,

Phil Kirkby

Philip Kirkby
Chairman to Goudhurst Parish Council
Goudhurst Parish Council

Statement on behalf of the Claimant
Witness: Andrew Culley
9th Statement
Dated: 28/09/2026
Exhibits: AC/292 to AC/322

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-001812
Matter No. KB-2025-001739

B E T W E E N : -

TUNBRIDGE WELLS BOROUGH COUNCIL

Claimant

And

(1) Bill Lee
(2) Bill Leonard Lee
(3) Wesy Bill Wally Lee
(4) Roy Christopher Draper
(5) Albie John Wilkins
(6) Persons Unknown
(7) Keith Jeeves
(8) Curtis Love
(9) Bonny Harbour
(10) Jonny Bigmore

Defendants

NINTH WITNESS STATEMENT OF ANDREW CULLEY

I, Andrew Culley, Planning Compliance Officer for Tunbridge Wells Borough Council of Town Hall, Royal Tunbridge Wells, Kent TN1 1RS.

WILL SAY as follows:-

1. I make this statement in support of the Claimant's Claim for an injunction against the Defendants, pursuant to section 187B of the Town and Country Planning Act 1990

(as amended) ("the 1990 Act"). I am duly authorised by the Claimant to make this witness statement and I make it from my own information, knowledge and belief save where otherwise stated.

2. I make this further witness statement in support of the Claimant's application to continue/vary the injunction granted by Mr Justice Lavender on 6th June 2025 which was extended on 4th June 2026 until further order by Malcolm Sheehan KC Sitting as a Deputy Judge of the High Court.

3. On Tuesday 22nd September 2026 at approximately 14:40 hours I attended the land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent ("the Land") with my colleague LEANNE TARLING (Planning Investigations Officer), to serve letters which advised of the next hearing date for the application to the High Court to continue/vary the Injunction Order dated 6th June 2025, the letter included the date of the hearing and a QR code to access the hearing bundle filed with the court. I exhibit copies of the letters as **AC/292 to AC/301**, I attached them at the following locations:

   i. On the gate of Plot 6, 3 letters addressed to BILL LEE, BILL LEONARD LEE, and PERSONS UNKNOWN, I exhibit photos **AC/302** to **AC/304**
   ii. On the gate of Plot 5, 2 letters addressed to ALBIE JOHN WILKINS and PERSONS UNKNOWN I exhibit photos as **AC/305 and AC/306**
   iii. On a post to the entrance to Plot 4, 4 letters addressed to KEITH JEEVES, BONNY HARBOUR, JONNY BIGMORE and PERSONS UNKNOWN I exhibit photos as **AC/307 to AC/311**
   iv. On the gate post to Plot 3, 2 letters addressed to WESY BILL WALLY LEE and PERSONS UNKNOWN I exhibit photos as **AC/312** and **AC/313**
   v. On the gate of plot 2, 4 packs with covering letters to ROY CHRISTOPHER DRAPER, BILL LEE, BILL LEONARD LEE and PERSONS UNKNOWN I exhibit photos as **AC/314 to AC/316**
   vi. On a post rail of Plot 1, 2 letters addressed to CURTIS LOVE and PERSONS UNKNOWN I exhibit photos as **AC/317 and AC/318**

4. While on The Land I did not notice any changes from my previous visit of the 5th June 2026, there was still one static caravan on plot 2 which was currently unoccupied.

5. I also observed on my site visit of 22nd September 2026 that Plot 4 still hasn't had both Enforcement Notices complied with as there are waste pipes lying in the hedgerow, a blue plastic barrel and other bits of rubbish. Removal of these was required and KEITH JEEVES had said would be removed within a fortnight in the phone call on 3rd June 2026.

6. I also gave to the Tunbridge Wells Borough Council post room 5 letters to post registered post, I exhibit the proof of postage with the tracking numbers as **AC/319** which were posted to:

   i. Curtis Love, The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE
   ii. Roy Christopher Draper, Hill View, Meadow Lane, Runwell, Wickford SS11 7DX
   iii. Wesy Bill Wally Lee , Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU
   iv. Bill Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU
   v. Bill Leonard Lee, Four Oaks, Church Hill, Boughton Monchelsea, Maidstone ME17 4BU

7. I also emailed KEITH JEEVES, ALBIE WILKINS and CURTIS LOVE copies of their respective letters and advised that copies had also been served on the land.

8. On the 23rd September 2026 I received an email from ALBIE WILKINS in which he advised 'I no longer have this land' I sent a reply to his email asking if he could forward any details of the owner including any contact details. I received a reply notifying me that the gentleman's name is Patrick Driscol and his email is roofingspecialst2431@icloud.com. I exhibit the email chain as **AC/320**.

9. On the 24th September 2026 I accessed the HM Land registry online portal and requested a copy of title TT173927 (referred to as Plot 5 in my statements). It still showed ALBIE JOHN WILKINS as the owner. The register also showed there is no application or official search pending against the title. I exhibit a copy of the title as **AC/321**

10. I sent a letter to Patrick Driscol by email, I exhibit a copy of this letter as **AC/322.**

11. On 28th September 2026 I checked the council's system and could see that application reference 26/01194/FULL (for Plot 4) which was received on 27th May 2026 and was for "Change of use of land to allow the stationing of three static caravans and two touring caravans and ancillary works to meet the accommodation needs of a local extended Gypsy / Traveller family" was still invalid as the document previously requested had still not been received. I spoke with a member of the admin

team who sent out a final reminder for the missing documents on 28th September and advised that if not received, the application would be marked as “Not proceeded with” and closed on the council’s system. This has not yet been actioned so this planning application, evidencing a desire to change the use of the Land, is still outstanding.

12. At the time of writing this statement, the Secretary of State has not issued a decision in respect of the appeal lodged on 17th June 2025 against the Enforcement Notice served on Plot 2 on 17th May 2025 which had the following requirements:

    i. The enforcement notice had 8 requirements:
    ii. Cease the residential use of the land.
    iii. Remove all mobile homes, caravans and trailers from the land.
    iv. Remove all domestic and commercial vehicles from the land.
    v. Remove the foul water treatment plant and generator from the land.
    vi. Remove all fencing from the land.
    vii. Remove all hard standings and hardcore from the land.
    viii. Remove from the land any resultant materials, rubbish and rubble arising from compliance with steps (i) to (vi) above.
    ix. Reinstate the land back to its previous condition including infilling the excavation for the foul treatment plant with top soil.

13. I am still firmly of the view that the injunction order is holding the ring on this Land which is sensitive.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

Dated: 28/09/2026

Tunbridge Wells Borough Council

Albie John Wilkins
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Wilkins,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

The hearing of the Council's application for the continuation of the section 187B Injunction has been listed for:

Wednesday 7 October 2026 for half a day before a High Court Judge, in person at the Royal Courts of Justice, London.

The Judge and time of the hearing will be confirmed on the working day before on the Daily Cause List (from 3pm):

https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list

Evidence in the case can be accessed via the QR code at the end of this letter.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/293

Tunbridge Wells Borough Council

Bonnie Harbour
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Ms Harbour,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

The hearing of the Council's application for the continuation of the section 187B Injunction has been listed for:

Wednesday 7 October 2026 for half a day before a High Court Judge, in person at the Royal Courts of Justice, London.

The Judge and time of the hearing will be confirmed on the working day before on the Daily Cause List (from 3pm):

https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list

Evidence in the case can be accessed via the QR code at the end of this letter.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

Tunbridge Wells Borough Council

Bill Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/295

Tunbridge Wells Borough Council

Bill Leonard Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/296

Tunbridge Wells Borough Council

Curtis Love
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Love,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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Evidence in the case can be accessed via the QR code at the end of this letter.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/297

Tunbridge Wells Borough Council

Jonny Bigmore
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Bigmore,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/298

Tunbridge Wells Borough Council

Keith Jeeves
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Jeeves,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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Evidence in the case can be accessed via the QR code at the end of this letter.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/299

Tunbridge Wells Borough Council

Roy Christopher Draper
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Draper,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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Evidence in the case can be accessed via the QR code at the end of this letter.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

Tunbridge Wells Borough Council

Wesy Bill Wally Lee
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Mr Lee,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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Evidence in the case can be accessed via the QR code at the end of this letter.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/301

Tunbridge Wells Borough Council

Persons Unknown
Land between Kilndown Poultry Farm and Evanden
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **22 September 2026**

Dear Sir/Madam,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

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https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list

Evidence in the case can be accessed via the QR code at the end of this letter.

Yours sincerely,

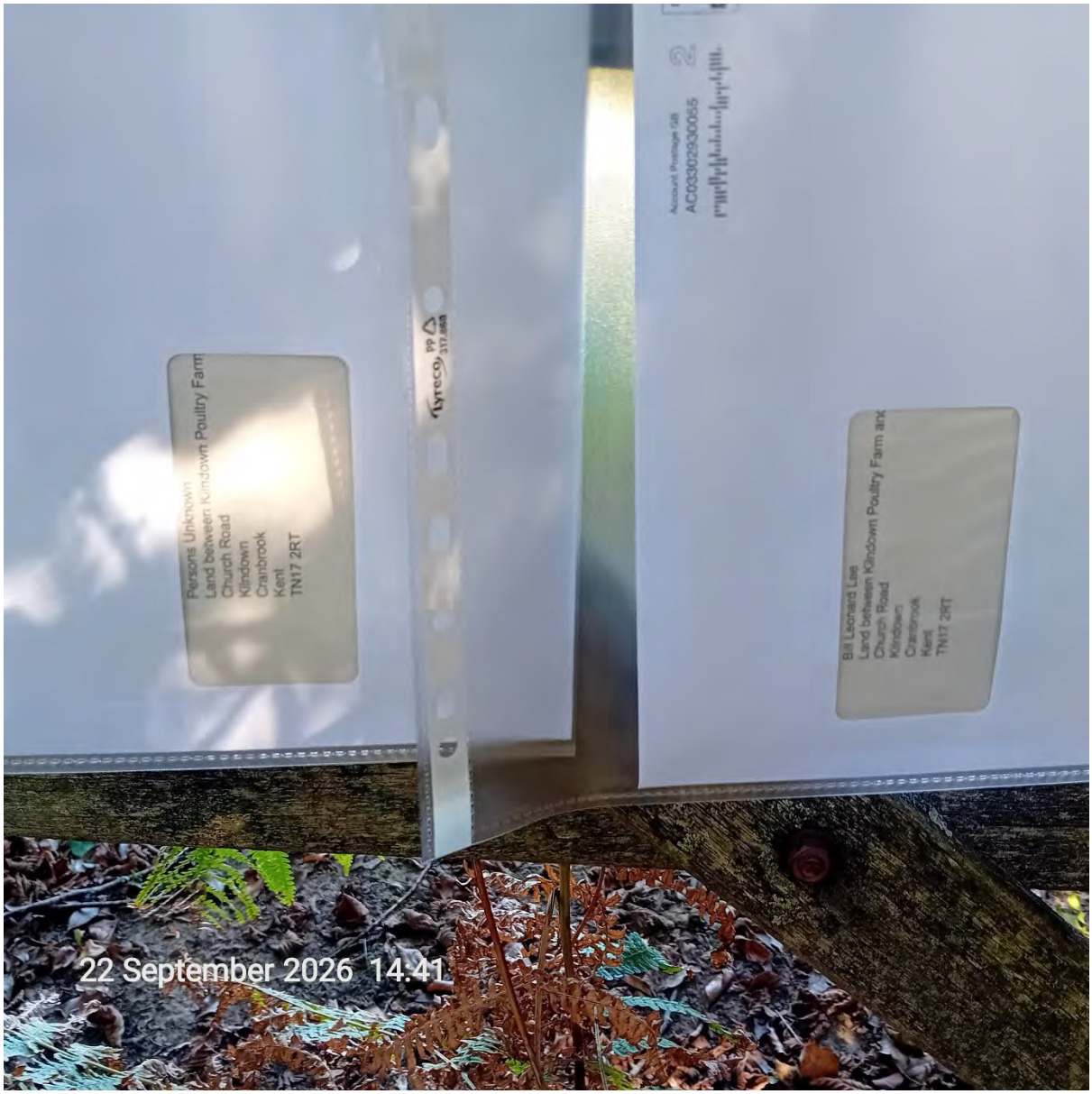
Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

QR CODE FOR CASE PAPERS

AC/302

AC/303


22 September 2026 14:41
Persons Unknown
Land between Kindown Poultry Farm
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
tyreco
PP
Account Postage GB
AC03302930055
2
Bill Leonard Lee
Land between Kindown Poultry Farm and
Church Road
Kindown
Cranbrook
Kent
TN17 2RT

AC/304

Bill Lee
Land between Kilndown Poultry Farm
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Account Postage GB
AC03302930055
2
Delivered by
Royal Mail
Tyreco PP
317.868
22 September 2026 14:41

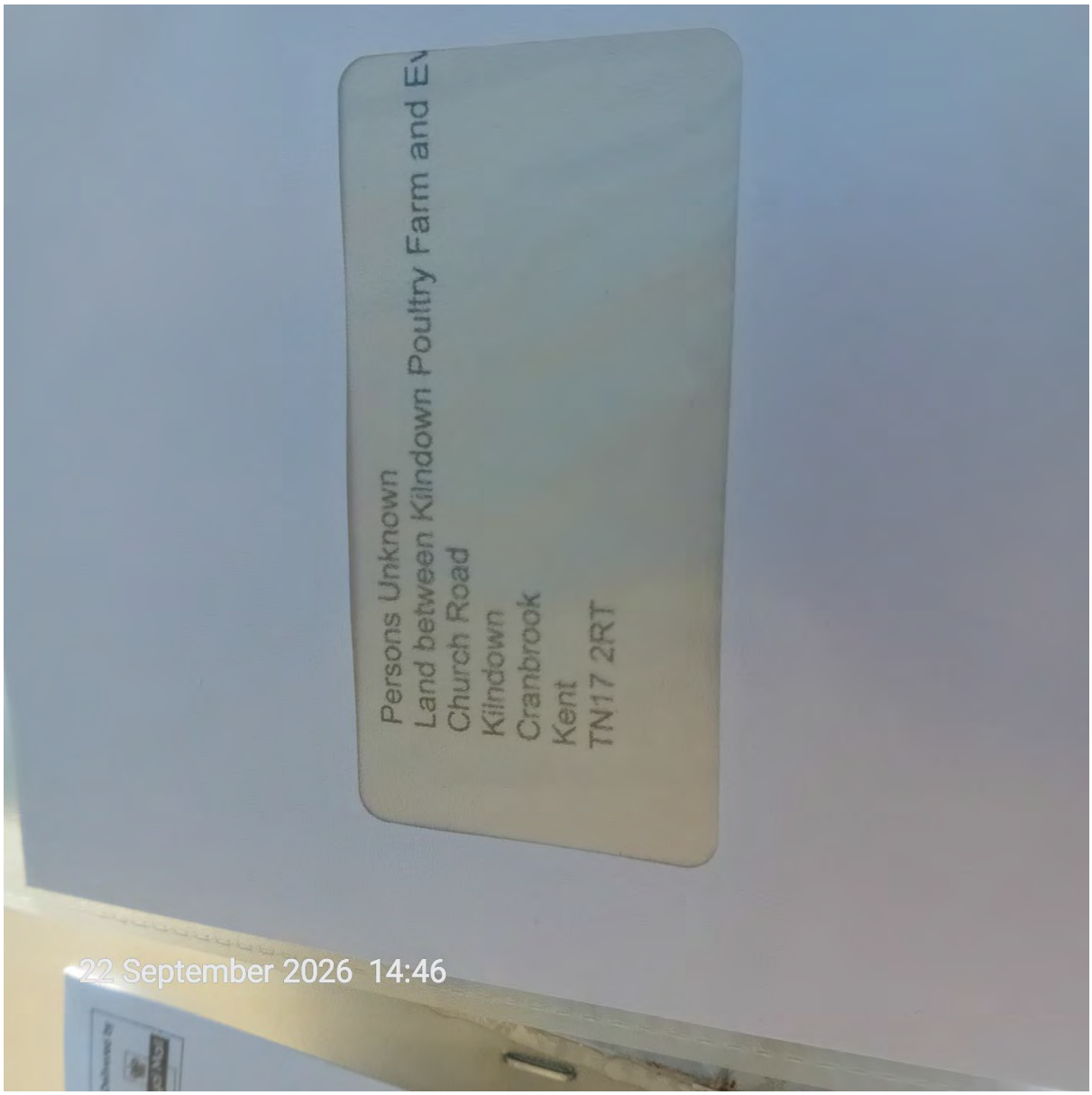
AC/305

AC/306

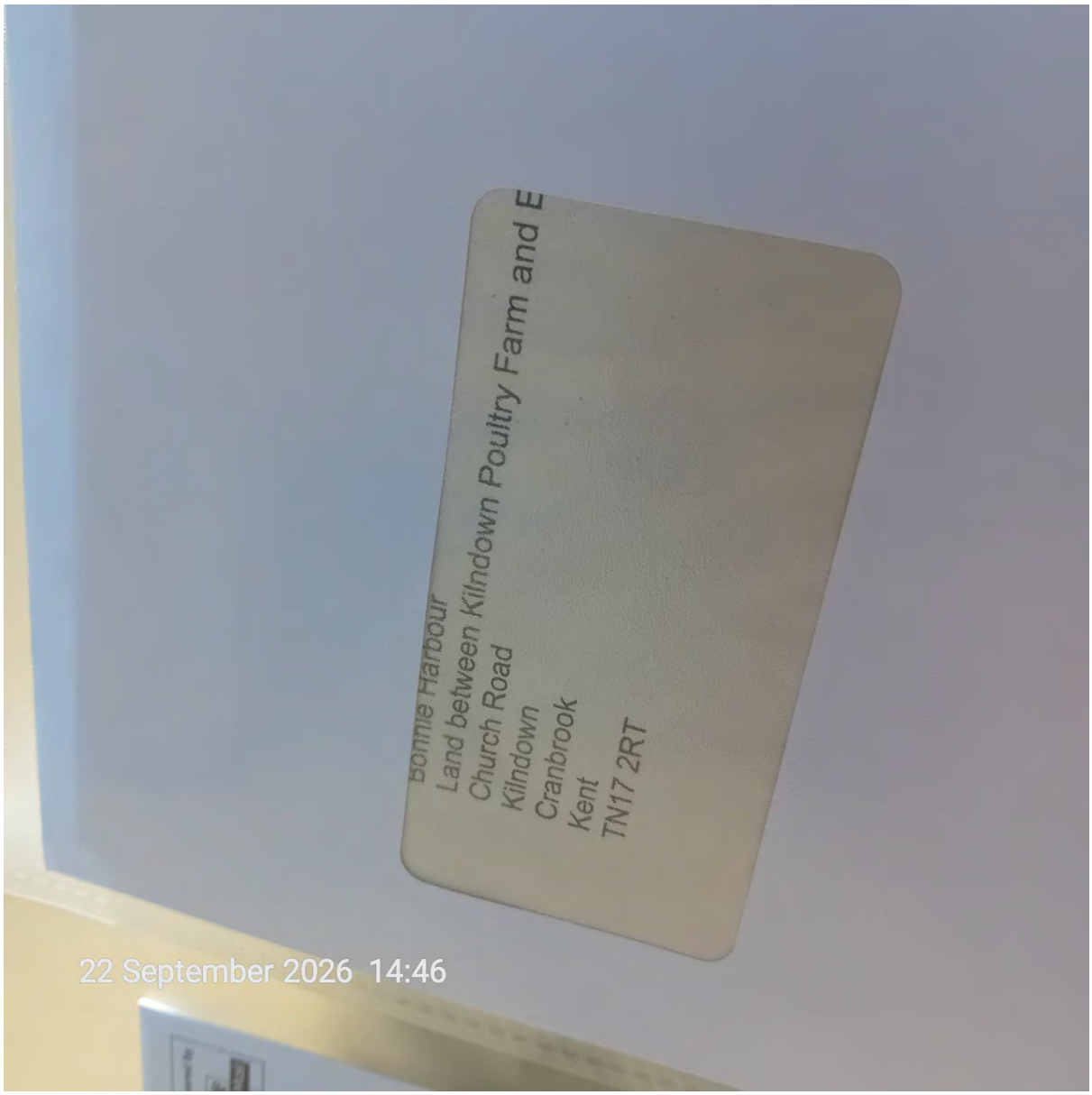
Account Postage GB
AC03302930055
2
Albie John Wilkins
Land between Kilndown Poultry Farm
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Account Postage GB
AC03302930055
2
Persons Unknown
Land between Kilndown Poultry Farm and
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
22 September 2026 14:43

AC/307

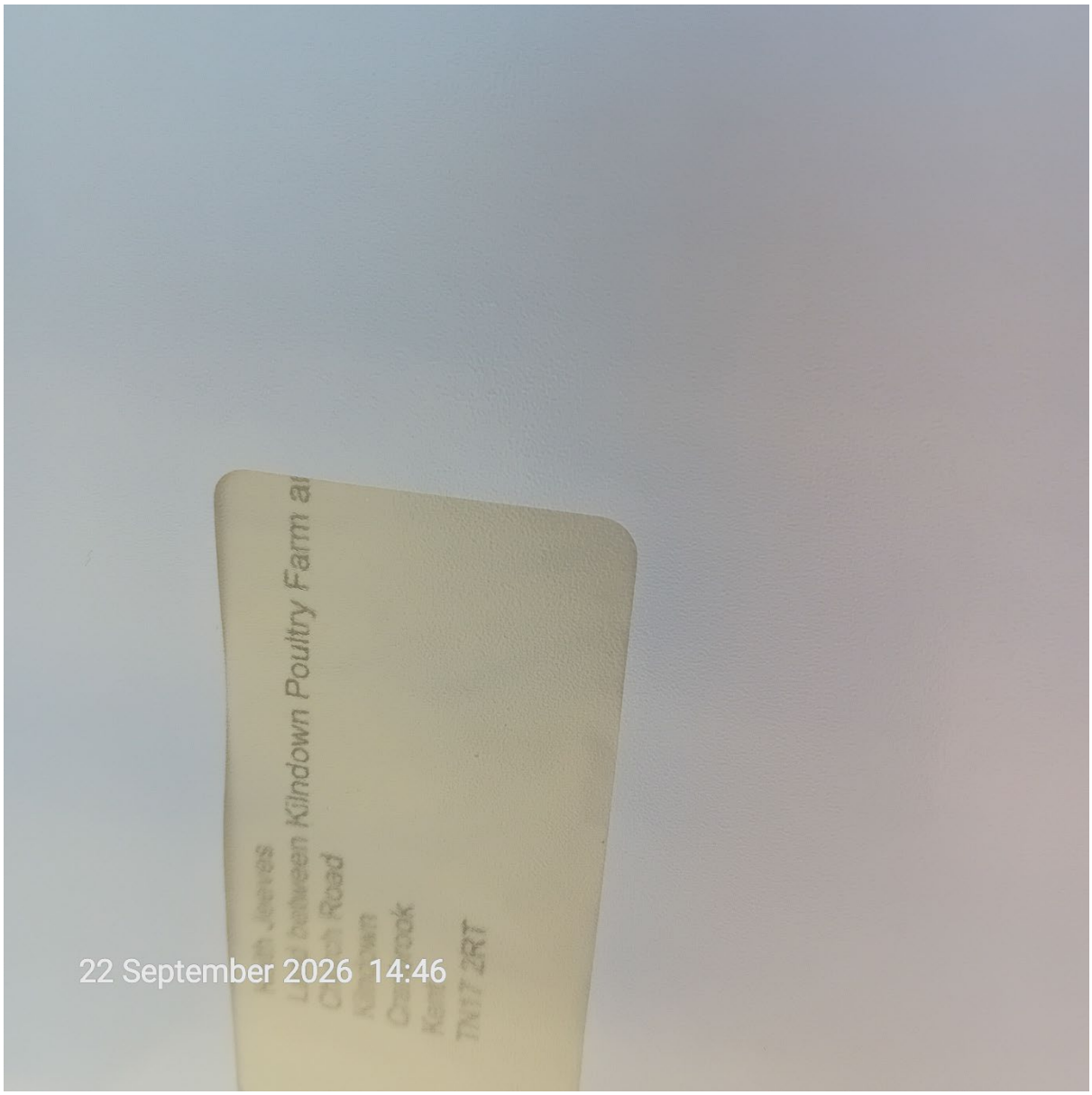
AC/308

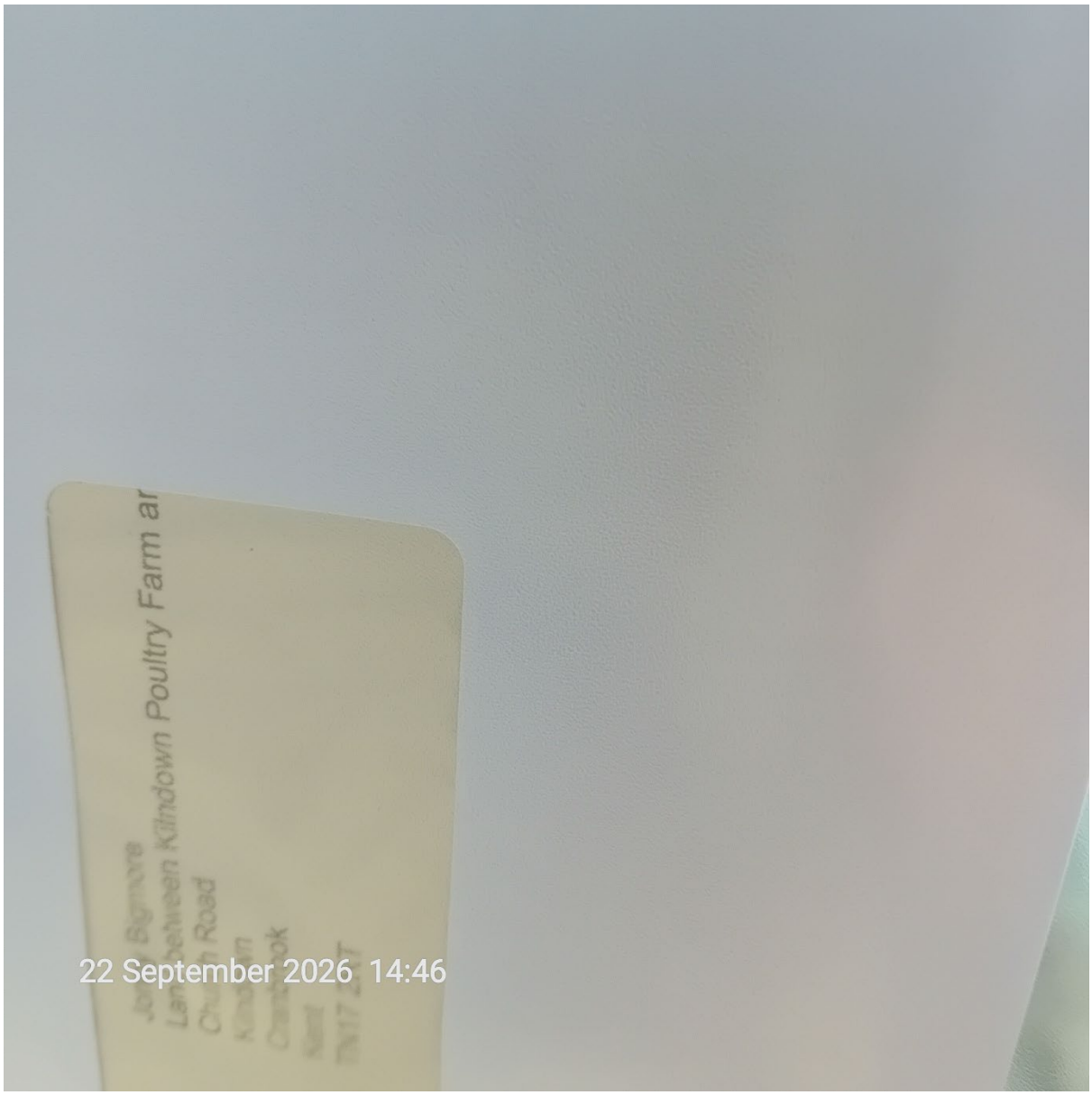

Persons Unknown
Land between Kilndown Poultry Farm and E
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
22 September 2026 14:46

AC/309


Bonnie Harbour
Land between Kilndown Poultry Farm and E
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
22 September 2026 14:46

AC/310




Joe Bignore
Land between Kilndown Poultry Farm ar
Church Road
Kilndown
Cranbrook
Kent
TN17 2JT
22 September 2026 14:46

AC/312

AC/313

Delivered by
royal mail
Account Postage GB
AC03302930055
2
Wesy Bir Wany Ltd
Land between Kindown Poultry Farm an
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Delivered by
royal mail
Account Postage GB
AC03302930055
2
Persons Unknown
Land between Kindown Poultry Farm and Eve
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
22 September 2026 14:48

AC/314

AC/315

Bill Lee
Land between Kindown Poultry Farm and E
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Account Postcode
AC03025608
Bill Leonard Lee
Land between Kindown Poultry Farm and E
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Account P
AC033
Lyreco PP 317.868
22 September 2026 14:49

AC/316

Account Postage GB
AC03302930055
2
Land between Kilndown Poultry Farm
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
Persons Unknown
Land between Kilndown Poultry Farm
Church Road
Kilndown
Cranbrook
Kent
TN17 2RT
22 September 2026 14:49

AC/317

AC/318

Auctions Postage GB
AC0302020005
2
Delivered by
Royal Mail
Persons Unknown
Land between Kindown Poultry Farm
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
Curtis Love
Land between Kindown Poultry Farm
Church Road
Kindown
Cranbrook
Kent
TN17 2RT
22 September 2026 14:50

Signed For / Special Delivery receipt

Tunbridge Wells Borough Council
Mount Pleasant Road, Tunbridge Wells, Kent. TN1 1RS

Senders name	Andrew Culley	Dept.	Planning

Postal Class = 1st/24 or 2nd/48	Postal type = Signed for [SF] / Special Delivery [SD]

Postal Class & Type	Recipient	Address	Postcode	Tracking Ref (for office use)
1st SF	CURTIS LOVE	The Meadows, Breach Lane, Upchurch, Sittingbourne ME9 7PE	ME9 7PE	BN 9862 9482 5GB
1st SF	ROY CHRISTOPHER DRAPER	Hill View, Meadow Lane, Runwell, Wickford	SS11 7DX	BN 9862 9483 9GB
1st SF	WESY BILL WALLY LEE	Four Oaks, Church Hill, Boughton Monchelsea, Maidstone	ME17 4BU	BN 9862 9484 2GB
1st SF	BILL LEE	Four Oaks, Church Hill, Boughton Monchelsea, Maidstone	ME17 4BU	BN 9862 9485 6GB
1st SF	BILL LEONARD LEE	Four Oaks, Church Hill, Boughton Monchelsea, Maidstone	ME17 4BU	BN 9862 9486 0GB
1st SF				

Total no. items	Date	Accepting officers signature
5	22/09/2026	

From: albie albie
To: Andrew Culley
Subject: Re: KB-2025-001812 – HIGH COURT INJUNCTION ORDER
Date: 23 September 2026 15:38:02

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

The gentleman's name
is patrick driscol his email is roofingspecialst2431@icloud.com

many thanks

Sent from the all-new AOL app for iOS

On Wednesday, September 23, 2026, 2:39 pm, Andrew Culley <Andrew.Culley@Tunbridgewells.gov.uk> wrote:

Good afternoon Mr Wilkins,

Thank you for your email.

I note your comments that you no longer own the land. To enable us to update our records and ensure the relevant parties are aware of this matter, could you please provide the name and contact details of the new owner, together with the date the land was sold?

If you do not have the new owner's contact details, any information you are able to provide regarding the sale would be appreciated.

Kind regards

Andy Culley
Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

Access planning services online at: www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

As has been widely publicised, since 01 April 2017 TWBC publicises applications for planning permission and listed building consent by Site Notice only. Letters are no longer sent to neighbouring properties (except for "larger household prior notifications").

You can register your details on the Council's website and set up an "area of

search" to be notified of any applications on neighbouring properties, or within a particular road or area of the Borough, by clicking here: http://www.tunbridgewells.gov.uk/notify

All advice given in this correspondence is given at Officer level only and does not prejudice any future decision this authority may make.

From: albie albie <bodyshotsalbie@aol.com>
Sent: 23 September 2026 14:17
To: Andrew Culley <Andrew.Culley@Tunbridgewells.gov.uk>
Subject: Re: KB-2025-001812 – HIGH COURT INJUNCTION ORDER

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.
Thank you

for your email but i no longer have this land

many thanks

Sent from the all-new AOL app for iOS

On Tuesday, September 22, 2026, 5:08 pm, Andrew Culley <Andrew.Culley@Tunbridgewells.gov.uk> wrote:

> Good afternoon Mr Wilkins,
>
> Please find attached a letter from Mid Kent Legal Services regarding the hearing of the Council's application for the continuation of the Section 187B Injunction.
>
> For your information, a copy of the attached letter has also been served on the land.
>
> The hearing has been listed for Wednesday 7 October 2026 for a half-day hearing before a High Court Judge, to be held in person at the Royal Courts of Justice, London.
>
> Kind regards
>
> **Andy Culley**

Planning Compliance Officer

T: 01892 335511
E: andrew.culley@tunbridgewells.gov.uk
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

Access planning services online at:
www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

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You can register your details on the Council's website and set up an "area of search" to be notified of any applications on neighbouring properties, or within a particular road or area of the Borough, by clicking here:
http://www.tunbridgewells.gov.uk/notify

All advice given in this correspondence is given at Officer level only and does not prejudice any future decision this authority may make.

This e-mail is confidential and intended solely for the use of the individual to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of Tunbridge Wells Borough Council. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please notify Tunbridge Wells Borough Council on telephone +44 (0)1892 526121 or e-mail to info@tunbridgewells.gov.uk.

This e-mail is confidential and intended solely for the use of the individual to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of Tunbridge Wells Borough Council. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please notify Tunbridge Wells Borough Council on telephone +44 (0)1892 526121 or e-mail to info@tunbridgewells.gov.uk.

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 24 SEP 2026 AT 10:24:11. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: TT173927

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : TUNBRIDGE WELLS

1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the south-east side of Church Road, Kilndown, Cranbrook.

2 (03.09.2024) The land has the benefit of any legal easements reserved by a Transfer of the land on the north side of the land in this title dated 23 August 2023 made between (1) Michael Larter and (2) Keith Jeeves but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed under TT171757.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (06.11.2024) PROPRIETOR: ALBIE JOHN WILKINS of Hawksbill, Morley Lane, Bicker, Boston PE20 3DP.

2 (06.11.2024) The price stated to have been paid on 29 October 2024 was £25,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the following rights reserved by a Conveyance dated 29 July 1971 made between (1) Elizabeth Maud Hussey and others (Vendors) and (2) Donald Royle Jackson Bancroft:-

"Reserving unto the Vendors and all others entitled thereto the owner for the time being of the Vendors' adjoining land

FIRST free passage and running of water through the water main the approximate position of which is shown on the plan and all ancillary rights with regard to the inspection repair maintenance and replacement thereof"

NOTE: The approximate position of the water main referred to is shown by a blue broken line on the title plan.

End of register

Tunbridge Wells Borough Council

Please ask for: **Heather Stevens**
Telephone: **01622 602126**
Email: **heather.stevens@midkent.gov.uk**
Our Ref: **T021871**
Date: **24 September 2026**

By Email: roofingspecialst2431@icloud.com

Dear Mr Patrick Driscol,

Tunbridge Wells Borough Council v Bill Lee, Bill Leonard Lee, Wesy Bill Wally Lee, Roy Christopher Draper, Albie John Wilkins, Keith Jeeves, Curtis Love, Bonny Harbour, Jonny Bigmore and Persons Unknown

KB-2025-001812 – HIGH COURT INJUNCTION ORDER

We have been notified by Mr Albie Wilkins, who is currently a Defendant in the above-mentioned High Court injunction proceedings, that you have purchased a plot of land from him, being land between Kilndown Poultry Farm and Evanden Farm, Church Road, Kilndown, Cranbrook, Kent.

The Council has obtained an Injunction Order, a copy of which is enclosed, which applies to the land. The Council has also made an application for the continuation of the Injunction Order, which will be heard on:

Wednesday 7 October 2026 for half a day before a High Court Judge, in person at the Royal Courts of Justice, London.

The Judge and time of the hearing will be confirmed on the working day before on the Daily Cause List (from 3pm):

https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list

Please urgently confirm whether you have any legal or beneficial interest in the land and whether you intend to contest the Council's application for the continuation of the Injunction Order. If you claim an interest in the land, please provide documentary evidence of that interest as soon as possible.

Evidence in the case can be accessed via the QR code at the end of this letter.

We would advise you to seek urgent legal advice in relation to this matter.

Yours sincerely,

Heather Stevens

Team Leader (Contentious)
Mid Kent Legal Services
For and on behalf of Claudette Valmond
Head of Legal Partnership and Monitoring Officer

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