

**IN THE HIGH COURT OF JUSTICE**

**Claim No. KB-2026-001144**

**KING'S BENCH DIVISION**

**DATED 10 April 2026**

**MRS JUSTICE STACEY**

**IN THE MATTER**

**B E T W E E N : -**



**KB-2026-001144**

**TUNBRIDGE WELLS BOROUGH COUNCIL**

**Claimant**

**and**

**(1) DANNY MAURICE DARLING  
(2) PERSONS UNKNOWN (THOSE WITH AN INTEREST IN OR INTENDING TO  
UNDERTAKE WORKS OR INTENDING TO OCCUPY THE LAND KNOWN AS "LAND  
LYING TO THE SOUTH EAST OF REDWINGS LANE, PEMBURY, TUNBRIDGE  
WELLS"**

**Defendants**

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**INJUNCTION ORDER**

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**PENAL NOTICE**

***IF YOU THE WITHIN NAMED: DANNY MAURICE DARLING 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 10 April 2026 Mrs Justice Stacey considered the Application brought by Tunbridge Wells Borough Council (“the Claimant”) for an injunction supported by the Witness Statement(s) 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 Statement(s) listed in Schedule A and upon accepting the undertakings listed in Schedule B

**IT IS ORDERED THAT FROM ALTERNATIVE SERVICE BEING EFFECTED UNTIL 20 April 2026 (the Return Date) OR FURTHER ORDER:**

### **THE INJUNCTION**

1. In relation to the Land known as “Land lying to the south east of Redwings Lane, Pembury, Tunbridge Wells” registered with HM Land Registry under title number TT164814 (“the Land”) as shown edged black on the attached plan, the Defendants, whether by themselves or by instructing, encouraging or permitting any other person, 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 caravans and/or mobile homes 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 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 and/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) Erect any fencing on the Land associated with or in preparation for the use of the Land for the stationing of caravans and/or use of the buildings/structures on the Land for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;
- (ix) 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 the 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 the gate at the vehicle entrance to the Land, on a stake on the Land and on a gate on the Public Right of Way close to the Land;
  - b. Posting by way of first class post sealed copies of the Order to the address of the Defendants known to the Claimant and, as an additional recommended method of drawing the matter to the attention of the First Defendant (but not relevant to good and sufficient service), by attempting to notify him via the telephone number the Claimant holds on record from 2024.
3. This shall be deemed to be good and sufficient service of this Order 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, the Claim Form, 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.

### **THE RETURN DATE**

7. There shall be a hearing at 10.30am on 20 April 2026 (the Return Date) at the Royal Courts of Justice with a time estimate of 1 hour, 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**

8. 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.
9. Any person, other than the First Defendant, who wishes to be heard under 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**

10. Costs reserved.
11. 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.

### **Interpretation of this Order**

1. In this Order, the words “the Land” means land known as “Land lying to the south east of Redwings Lane, Pembury, Tunbridge Wells” registered with HM Land Registry under title number TT164814 (“the Land”).
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 Second 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 are intending to occupy the Land 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 Leanne Tarling dated 9 April 2026
2. Second Witness Statement of Leanne Tarling dated 10 April 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 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:-**

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](mailto:heather.stevens@midkent.gov.uk)

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**DATED 10 April 2026**

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**Defendants**

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**INJUNCTION ORDER**

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UNKNOWN**

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IMPRISONMENT OR FINED OR YOUR ASSETS  
SEIZED***

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

Tel: 01622 602126  
Solicitors for Tunbridge Wells Borough Council