

Application notice

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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) 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 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.

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

3 0

Month

0 5

Year

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
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If applicable

Phone number

Fax phone number

DX number

Your Ref.

Tunbridge Wells/Kilndown

Email

enforcement@ivylegal.co.uk

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) KEITH JEEVES

(2) CURTIS LOVE

(3) BONNY HARBOUR

(4) JONNY BIGMORE

(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 T'T171000, T'T171757)

Defendants

**SKELETON ARGUMENT ON BEHALF OF THE CLAIMANT
IN SUPPORT OF AN APPLICATION FOR AN
INJUNCTION**

References are to Witness Statement paragraphs [WS/X]

Essential Reading:

1. Application Notice
2. Draft Order
3. Witness Statements of Andrew Culley, Heather Stevens and Leanne Tarling

INTRODUCTION

1. Tunbridge Wells Borough Council (“the Claimant”) seeks an injunction 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 TT17100, TT171757 shown edged red on the plan attached to the draft order. The Claimant obtained an interim injunction granted by Mr Justice Eyre on 16th May 2025 on a without notice basis. Since that date, further information has been revealed and, as a result, further named defendants have been added as explained below.
2. 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.
3. There have already been 2 hearings (without notice on 16th May 2025, and the return date on 23rd May 2025) in relation to injunctive relief during which proposed defendants have been removed and further defendants added. The situation has been and continues to be fluid and complicated and it is now clear that the Council was falsely reassured by Mr Jeeves that he would not breach planning control. This skeleton argument attempts to clarify the background as well as setting out the basis of this application made on an urgent and without notice basis.
4. The Land was, until recently, 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 last year, parcels have been sold and/or sub-divided as follows (and at the time of the

without notice application on 16th May 2025, there were “applications pending” against title K871684):

Title	Last date of change	Owner	Comments
K871684 Plots 1(a) & 1(b)	02/02/2024	Michael Larter	Plot 1a has been further sub-divided into 3 plots with one occupied by Bill Lee on 9 th May 2025
TT171000 Plot (3)	08/08/2024	Curtis Love	
TT171757 Plot (2)	03/09/2024	Keith Jeeves	

5. 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 land owned by Mr Jeeves has been developed today, 30th May 2025.

The Return Date on 23rd May 2025

6. As set out in the witness statement of Heather Stevens (§18), 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:

Title	Date of Transfer according to TP1s	Owner	Comments
K871684 Plot HS/1	04/09/2024	Roy Christopher Draper	This plot has been unlawfully occupied by Bill Lee since 9 th May 2025
K871684 Plot HS/2	04/09/2024	Wesy Bill Wally Lee	
K871684 Plot HS/3	29/10/2024	Albie John Wilkins	
K871684 Plot HS/4	04/11/2024	Bill Lee and Bill Leonard Lee	

7. On the basis of correspondence with VP Legal Solicitors, 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 recognises delays at HM Land Registry and no longer proceeded against him.
8. The Council proceeded against Mr Draper as his land has been developed unlawfully and is currently occupied by Mr Bill Lee.
9. 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 (First WS Heather Stevens/8).

10. The Council proceeded against Wesy Bill Wally Lee as his plot is adjacent to the occupied plot, he appears to be related/connected 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**” (Second WS Andrew Cully/27). Whilst Mr Wesy Lee has reiterated that he did not plan to build on his plot (Second WS Andrew Culley/28) and has confirmed the same to the Council’s solicitors on 22nd May 2025, the Council has real fears and anticipates further breaches of planning control if not restrained.
11. The Council did not proceed against Mr Jeeves and Mr Love on 23rd May 2025 for the following reasons:
12. Mr Jeeves expressly told Council officers he had no intention of living on the Land (see First WS Leanne Tarling §7);
13. The Council had absolutely no contact with Mr Love at all.
14. 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

15. On 30th May 2025, the situation changed hence the Council now makes this urgent application.
16. The land belonging to Mr Jeeves was excluded from the injunction orders obtained on 16th May and 23rd May. On 30th May 2025, a static caravan was delivered to that land. Council officers were told that there was another static caravan being delivered imminently. Furthermore, Mr Jeeves told Council officers that he would be living on the land temporarily

which is contrary to what he told officers previously (see Second WS Leanne Tarling §12). However, he also states he will be living there with his son, Ted Jeeves (see Second WS Leanne Tarling §17). Lastly, a planning application has been received (not valid) 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. Council officers were told that Bonny Harbour and children would be arriving to live on the land.

17. 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. Ms Tarling was notified of this on site by a planning agent on 30th May 2025. 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.
18. The Council now 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. Now that the Council's anticipated fears for the Land are being realised, the Council seeks to ensure that no other land is excluded and vulnerable to development in the same manner.
19. The Council proceeds on a without notice basis for the reasons set out in the Third WS of Mr Culley.

Persons Unknown

20. 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”.

21. 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.

22. 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. This 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. However, it has an emerging Local Plan which has been through an extensive examination process and will be adopted shortly. As set out in the First witness statement of Mr Culley (WS/41), the relevant policy, H9, can be afforded significant weight and the policy was

underpinned by a proper evidence base and Needs Assessment. Policy H9 is a policy specifically 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. 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 (WS/10-20) on land owned by Mr Jeeves. There has been significant activity in terms of dividing, sales, sub-dividing, failure to obtain planning consent and occupation over recent months which all leads the Council to believe that further breaches are imminent.
- 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 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 2025;
- 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.

23. 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. The order simply holds the ring and maintains the status quo.

Service

24. Service following previous hearings was effected as follows:

Defendant	When served	What was served	Comments
Michael Larter (no longer a Defendant)	17 th May 2025 on a gate that leads to the field to the east of Mr Lee's plot	See Heather Stevens WS/14	Mr Larter called the Council on 19 th May 2025 and had received the injunction (WS Andrew Culley/17)

Keith Jeeves (no longer a defendant)	17 th May 2025 in person and on a gate that leads to a field to the south of Mr Jeeves' plot 19 th May 2025 in person	See Heather Stevens WS/14	
Curtis Love (no longer a defendant)	17 th May 2025 on a fence post at the entrance to the plot that he owns	See Heather Stevens WS/14	
Bill Lee	17 th May 2025 in person 19 th May 2025 in person 23 rd May 2025 in person via Kelsey Stevens	See Heather Stevens WS/4 See Andrew Culley 2 nd WS/25 See Leanne Tarling 2 nd WS/4	The Council is not clear if they served Bill Lee or Bill Leonard Lee as it only became clear on receipt of TP1s
Bill Leonard Lee	19 th May – if not in person (see above) then as Persons Unknown 23 rd May 2025 in person via Kelsey Stevens	See Andrew Culley 2 nd WS/26 See Leanne Tarling 2 nd WS/4	The Council is not clear if they served Bill Lee or Bill Leonard Lee as it only became clear on receipt of TP1s
Wesly Bill Wally Lee	19 th May in person as Persons Unknown 23 rd May 2025 at plot	See Andrew Culley 2 nd WS/26 See Leanne Tarling 2 nd WS/4	
Roy Christopher Draper	19 th May Alternative Service 23 rd May 2025 at plot	See Andrew Culley 2 nd WS/34 See Leanne Tarling 2 nd WS/4	
Albie John Wilkins	19 th May Alternative Service 23 rd May 2025 at plot	See Andrew Culley 2 nd WS/34 See Leanne Tarling 2 nd WS/4	

Persons Unknown	17 th May 2025 on a gate along Church Road at the north end of the Land	See Heather Stevens WS/4	
	19 th May 2025	See Andrew Culley 2 nd WS/34	
	23 rd May 2025	See Leanne Tarling 2 nd WS/4	

THE POWER TO GRANT AN INJUNCTION

25. 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.”*

26. 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.

27. 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].
28. 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.

29. 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).
30. 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

31. 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 has a further caravan arriving this week-end. The Council fears that Plot HS/4 will be occupied imminently. 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. Plot HS/2 is adjacent to the occupied plot, it is of sufficient size for occupation, the owner, 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.

32. Despite injunction orders served on land adjacent to his plot and despite being served with an enforcement notice to remove hard standing, Mr Jeeves and Mr Bigmore have undertaken development without planning consent. They are fully aware that this is unauthorised and have proceeded anyway.

THE NEED FOR AN INJUNCTION

33. In his First witness statement at para 22, 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. 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. The Council has now issued and served enforcement notices relating to the unauthorised development but this is for development that has already taken place and is a long term strategy.

34. 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.

35. 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.

CONCLUSIONS

36. 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 it is not understood that occupation has taken place) 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.

37. 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.

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

39. 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.

40. 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
30th May 2025

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 

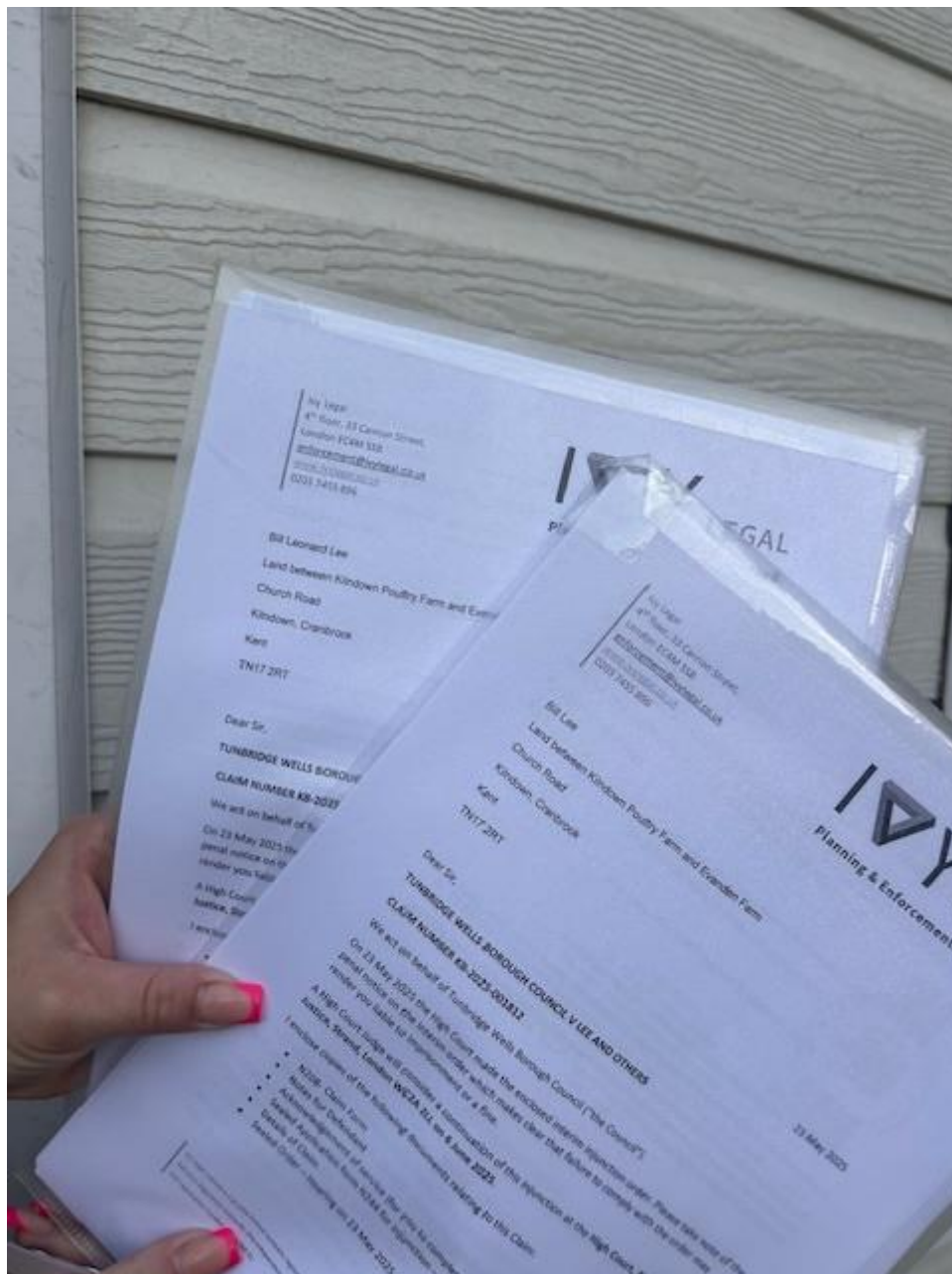
Date:30.05.2025

[illegible]

LT1



LT2



LT3





LT5



LT6



LT7



LT8





LT10



LT11



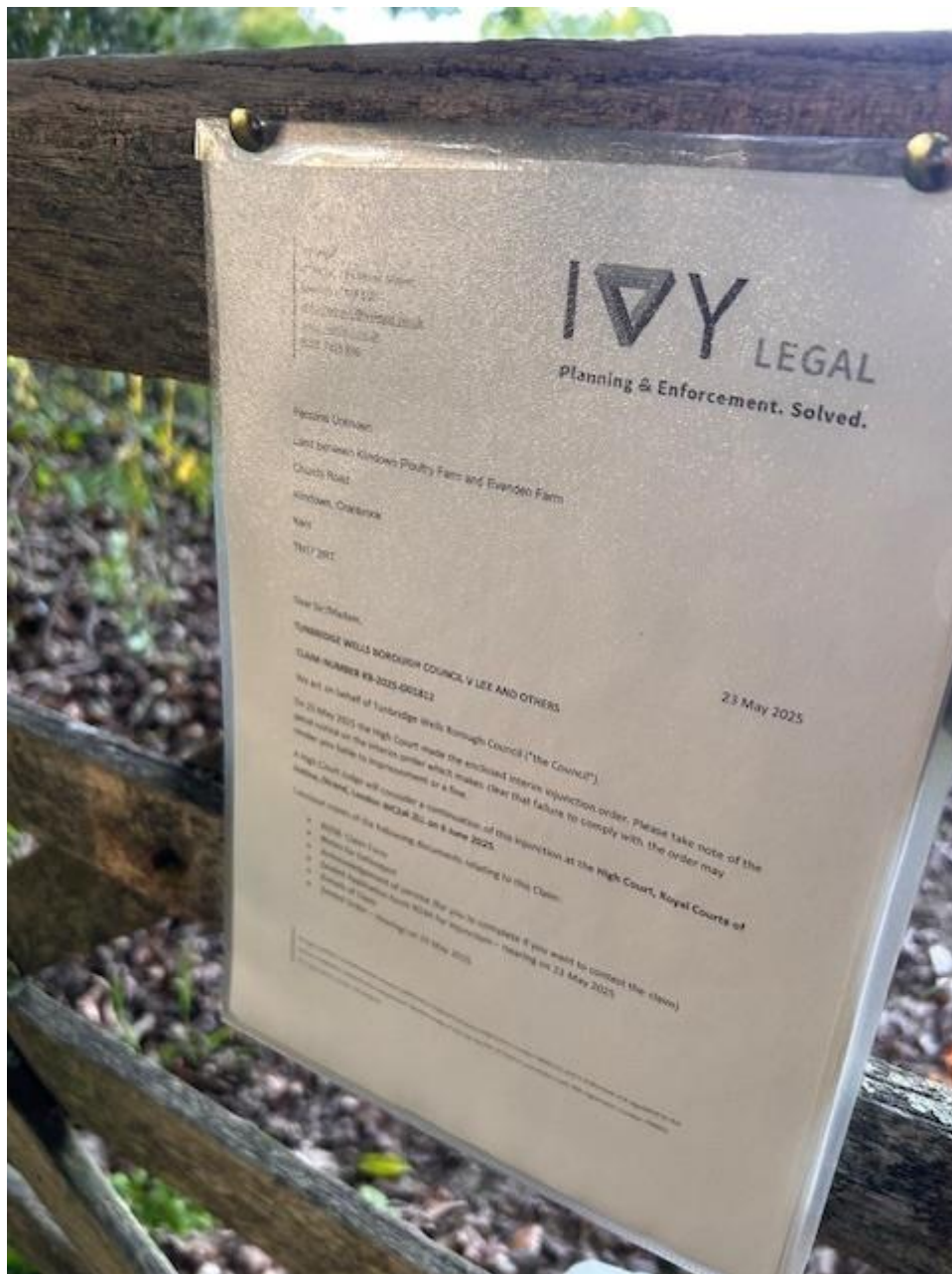
LT12



LT13



LT14



LT15



LT16



LT17



LT18

Witness statement exhibits 30/05/2025



LT19



LT20



LT21



LT22



LT23



LT24



LT25



LT26



LT27



LT28



LT29



LT30



LT31



LT32



LT33



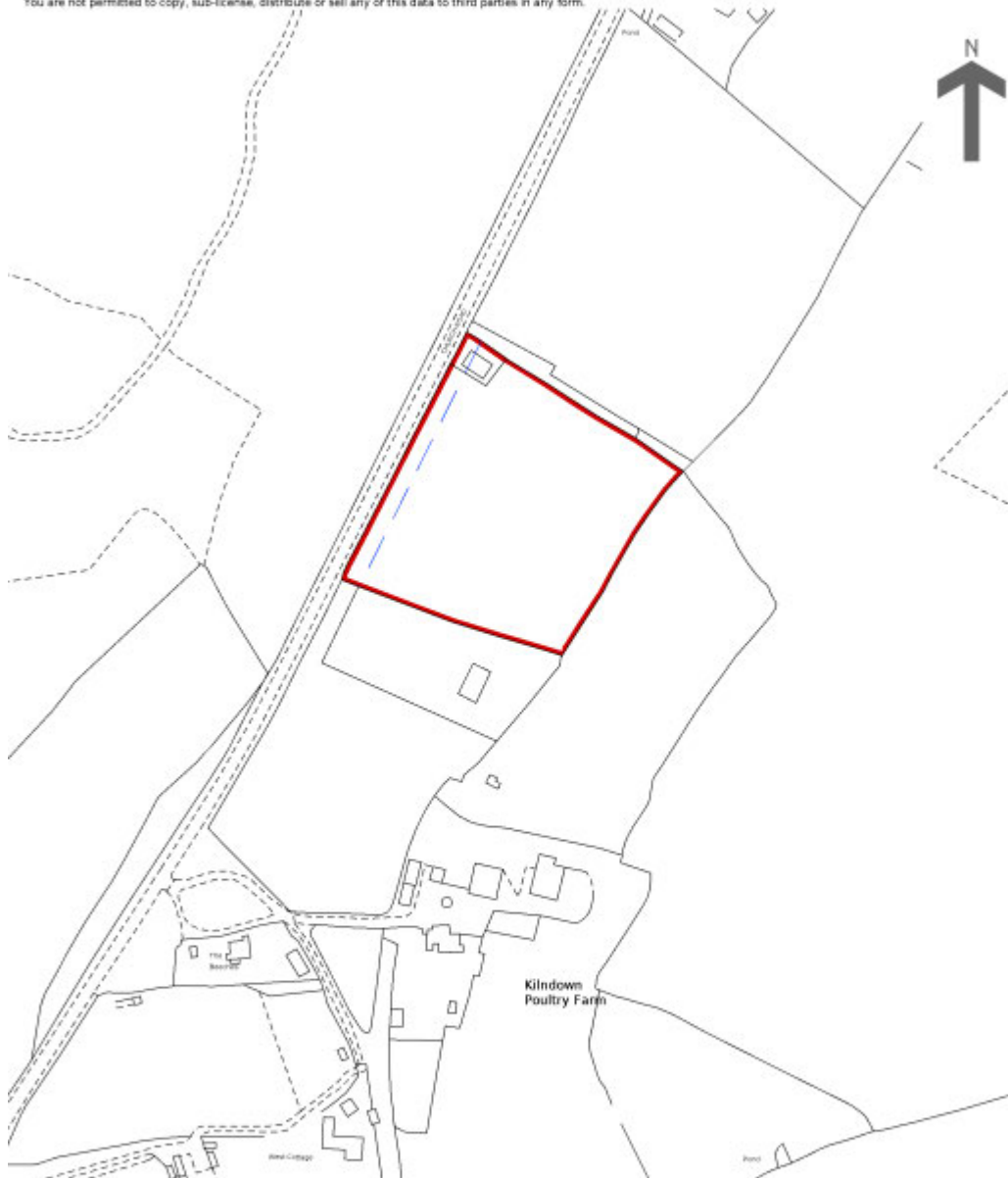
LT34



LT35



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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 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.

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



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	<input type="text"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Town/city	<input type="text"/>
Postcode	<input type="text"/>

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
<input type="text"/>	<input type="text"/>
Description	

Planning Portal Reference: PP-14057199

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

Kildown

County

Country

Postcode

TN17 2RT

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Planning Portal Reference: PP-14057199

LT40

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

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
☒ The Agent

Title

First Name

Surname

Declaration Date

☒ Declaration made

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 to AC/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.

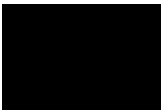
Signed.......... Dated.....30/05/2025.....

Exhibit AC/33 BILL LEE served with court pack.

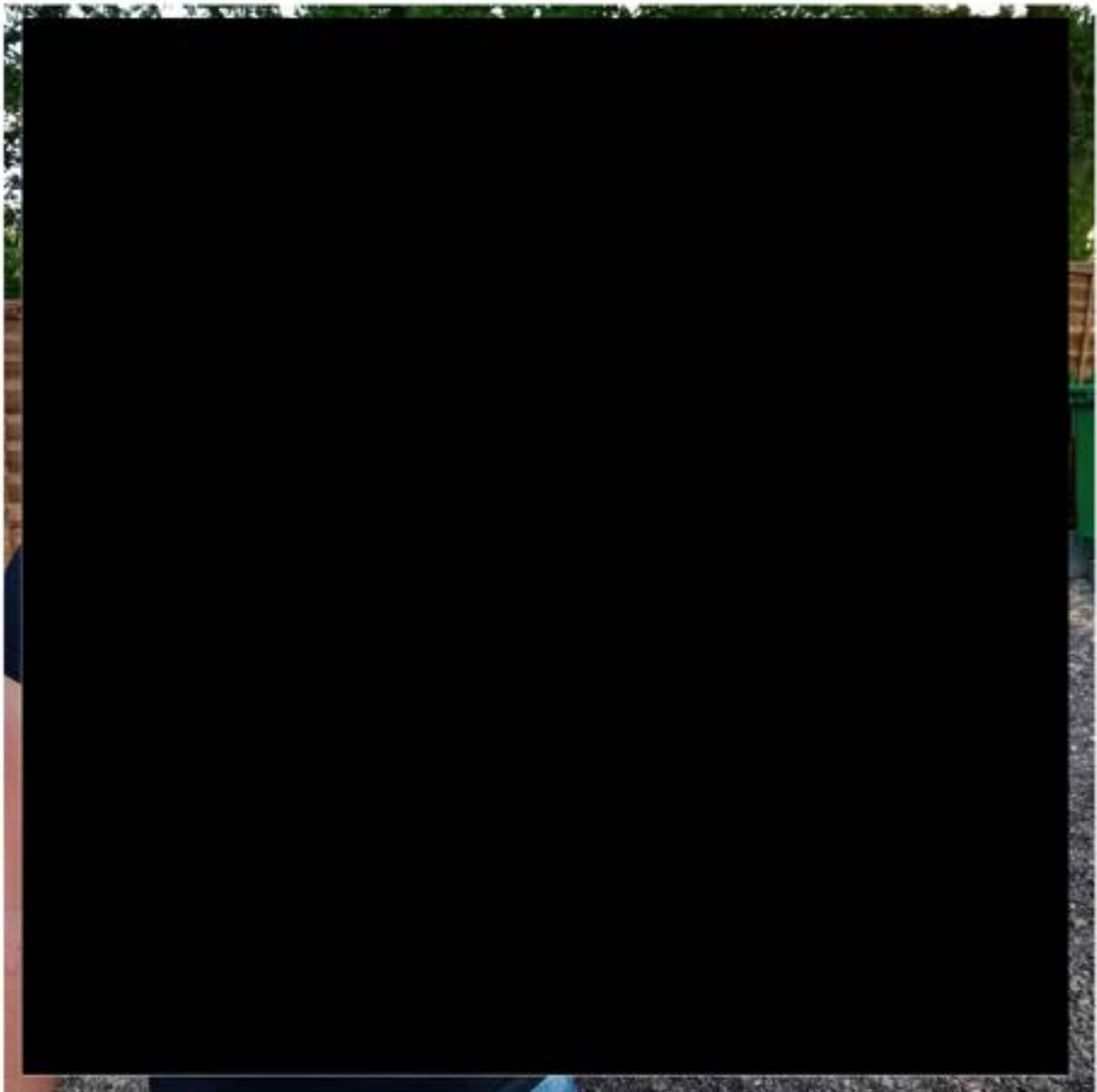


Exhibit AC/34

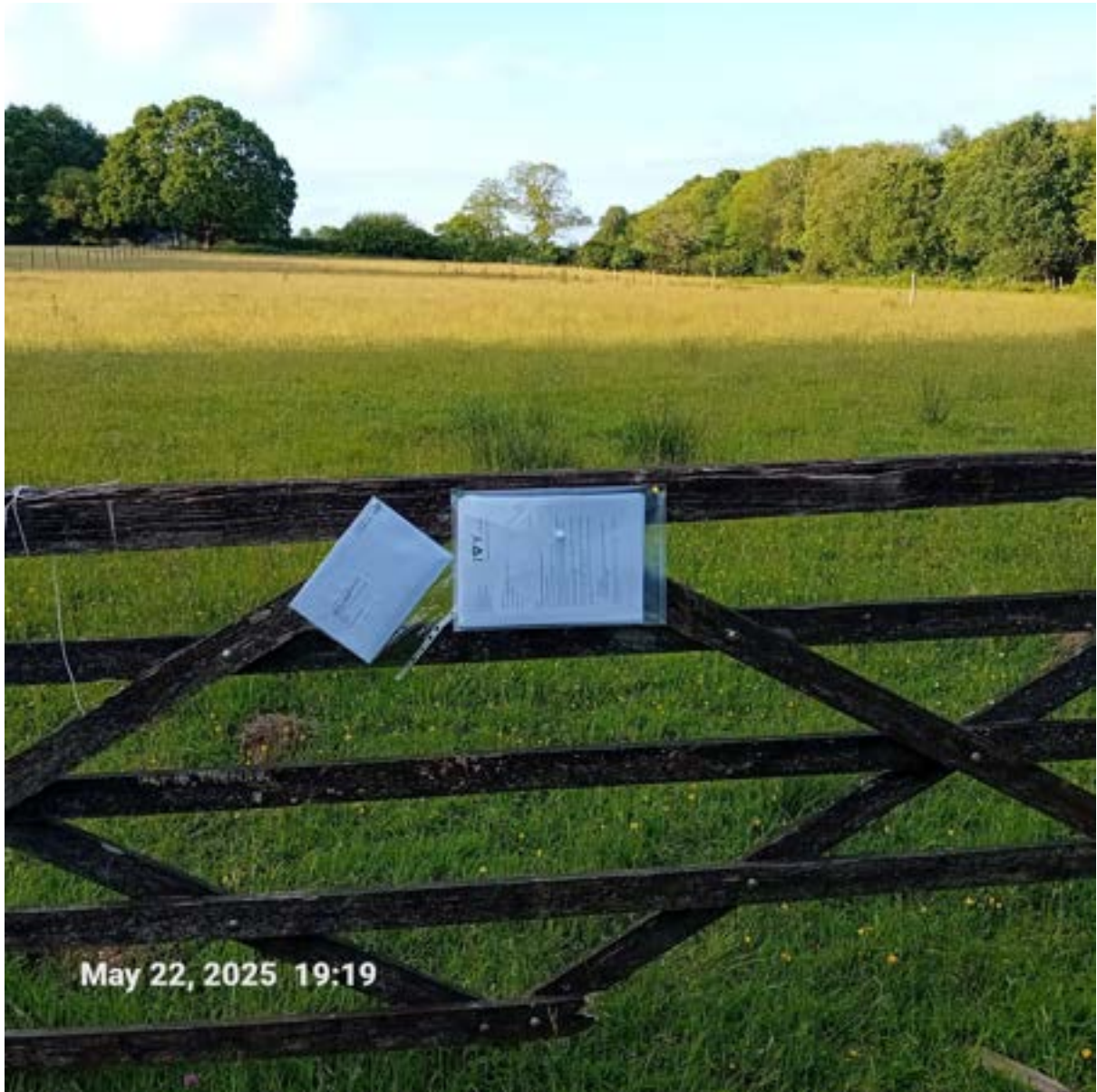


Exhibit AC/35





AC/37



May 22, 2025 19:16



AC/40



AC/41

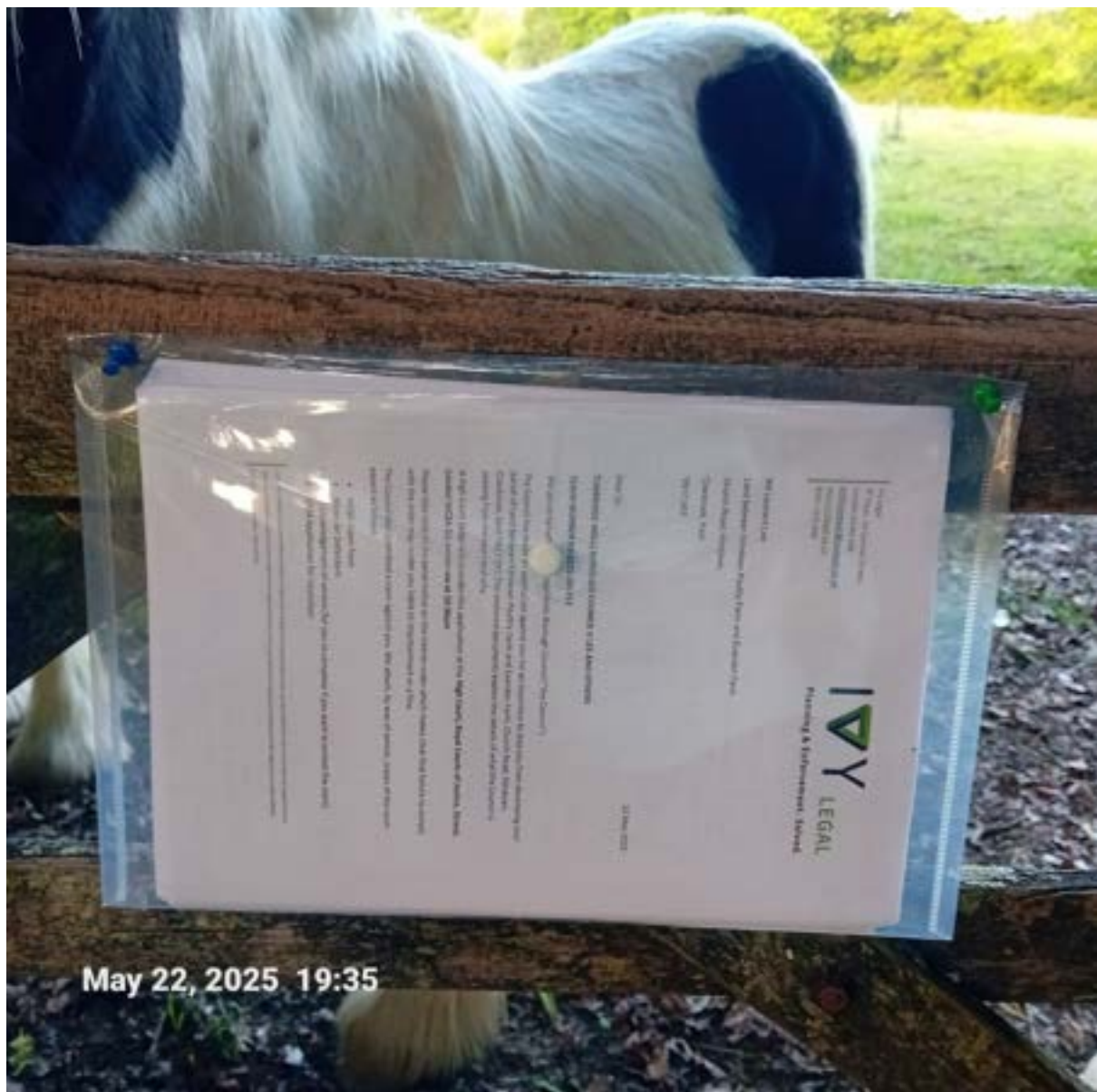


AC/42

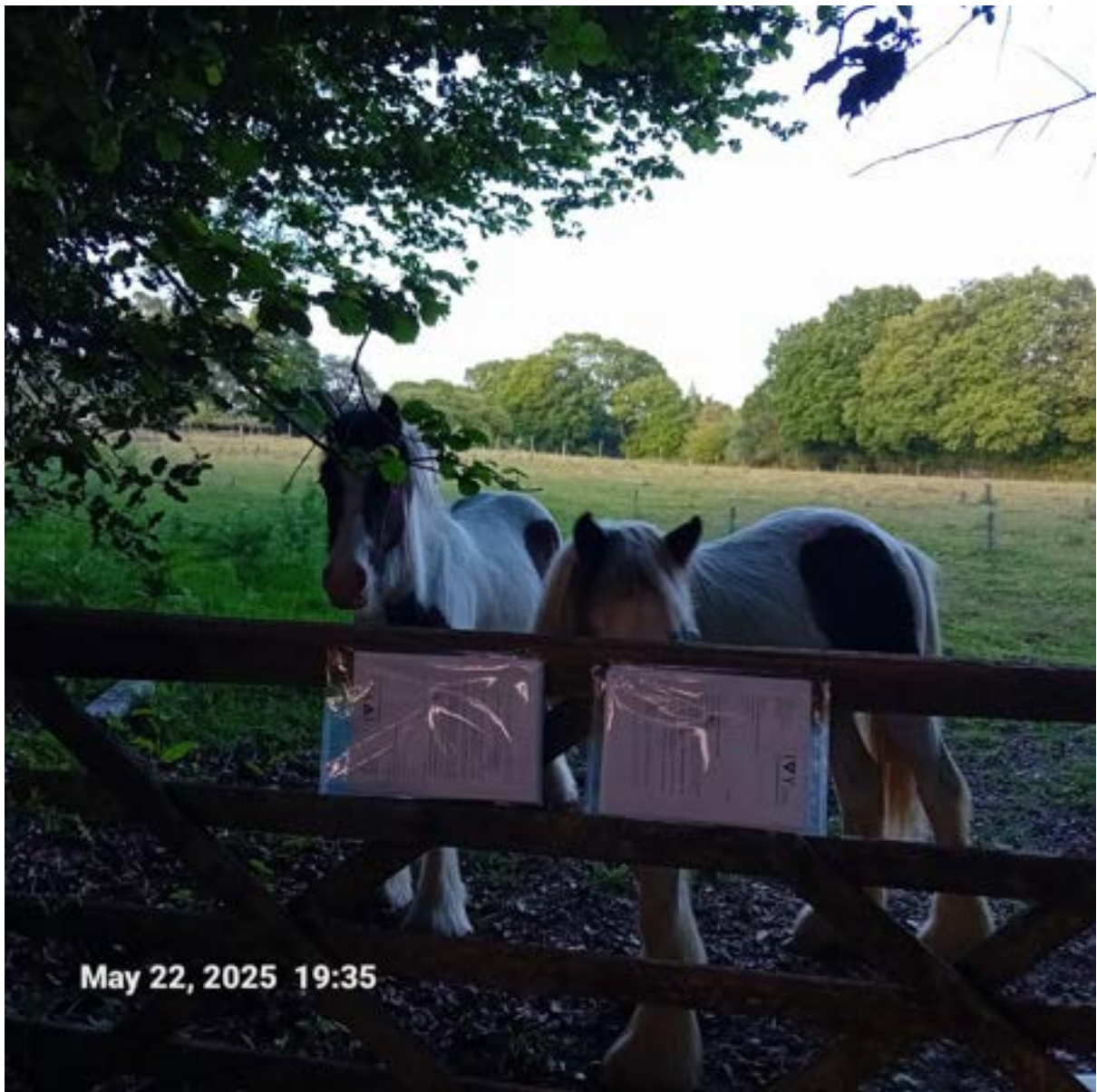




AC/44



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).

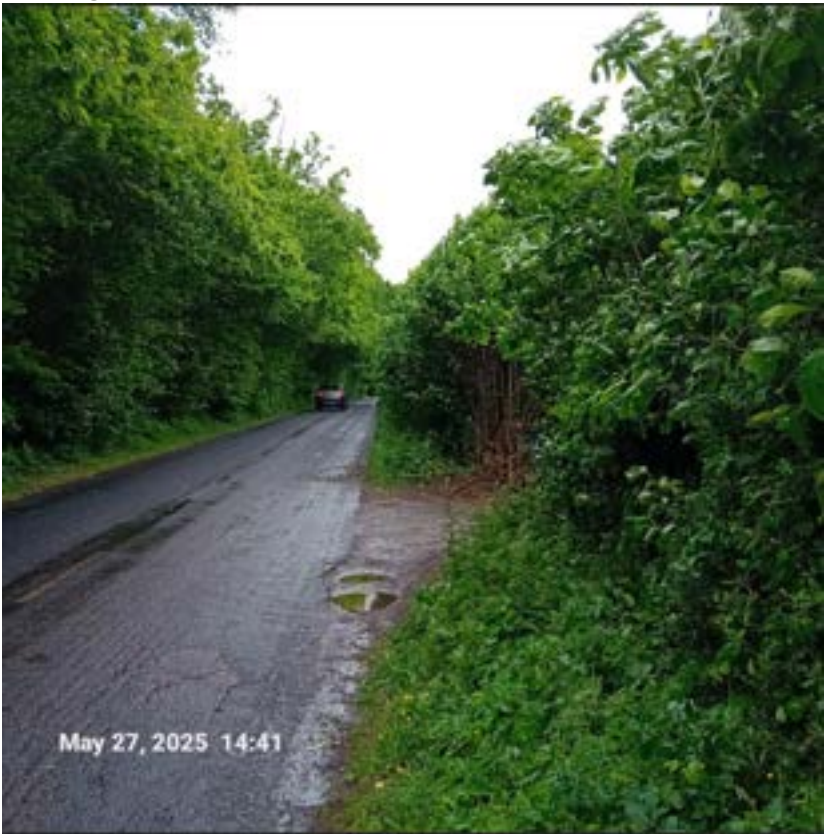
To enable you to assess this I have include a map of Church road, Kilndown Cranbrook nearest Postcode TN17 2SE. The Entrance is set back from the roadway by approximately 3.2 meters and is approximately 4 meters wide. When standing on the entrance it has hedges each side I stood at the approximate position 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

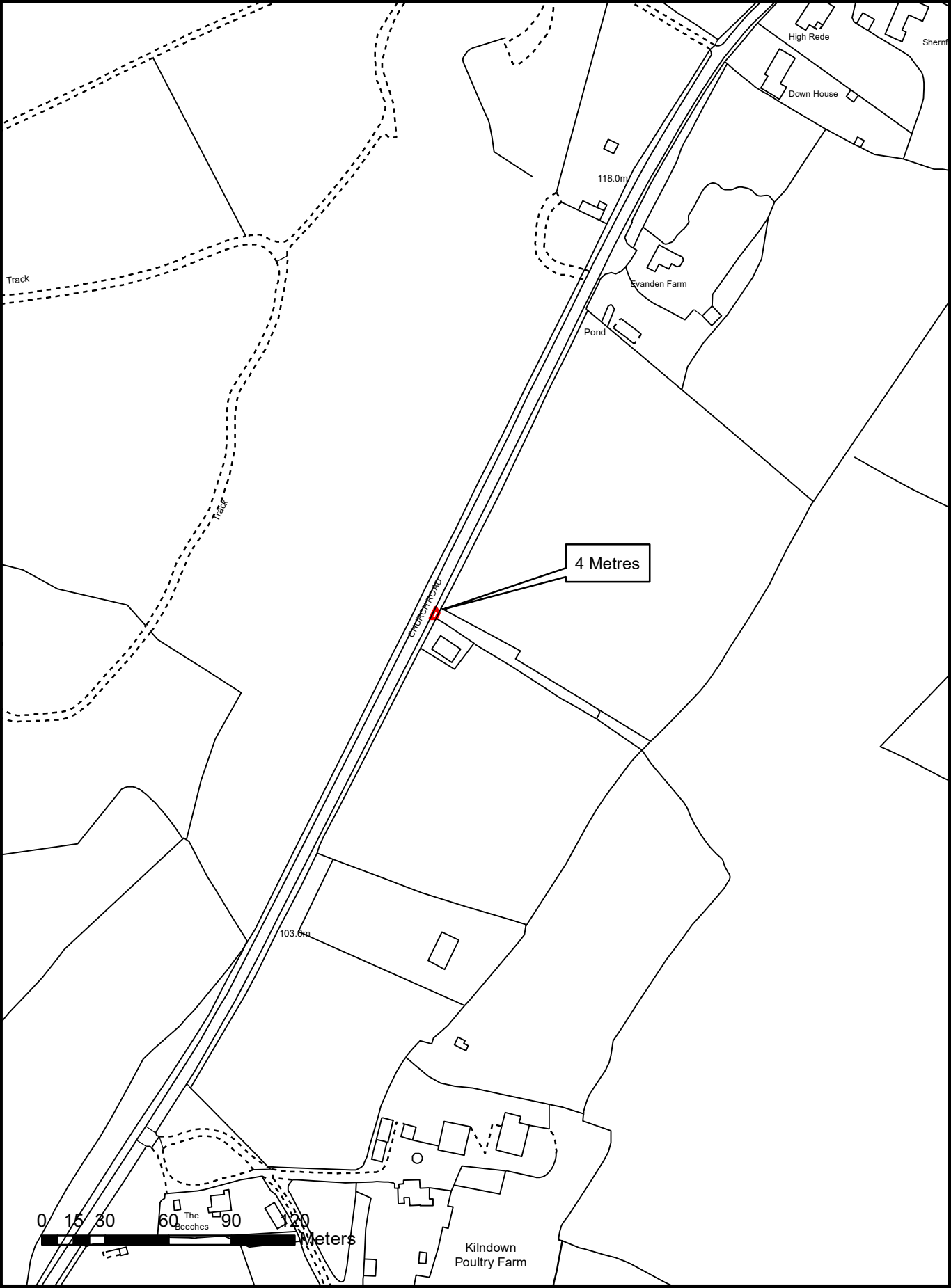
Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

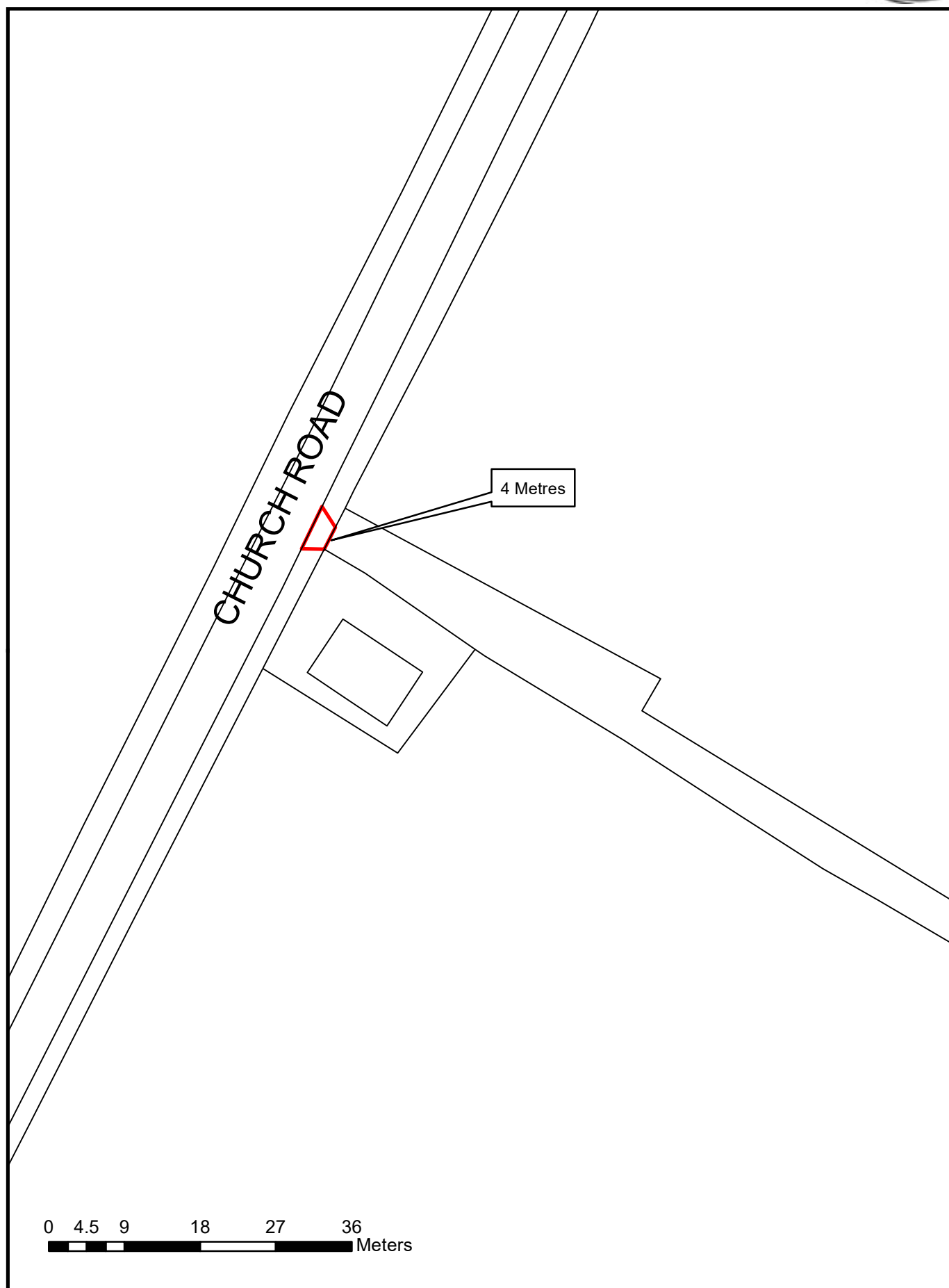
Access planning services online at: www.tunbridgewells.gov.uk or submit an application via www.planningportal.gov.uk

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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.





0 4.5 9 18 27 36 Meters



Scale 1:625



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

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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

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

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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

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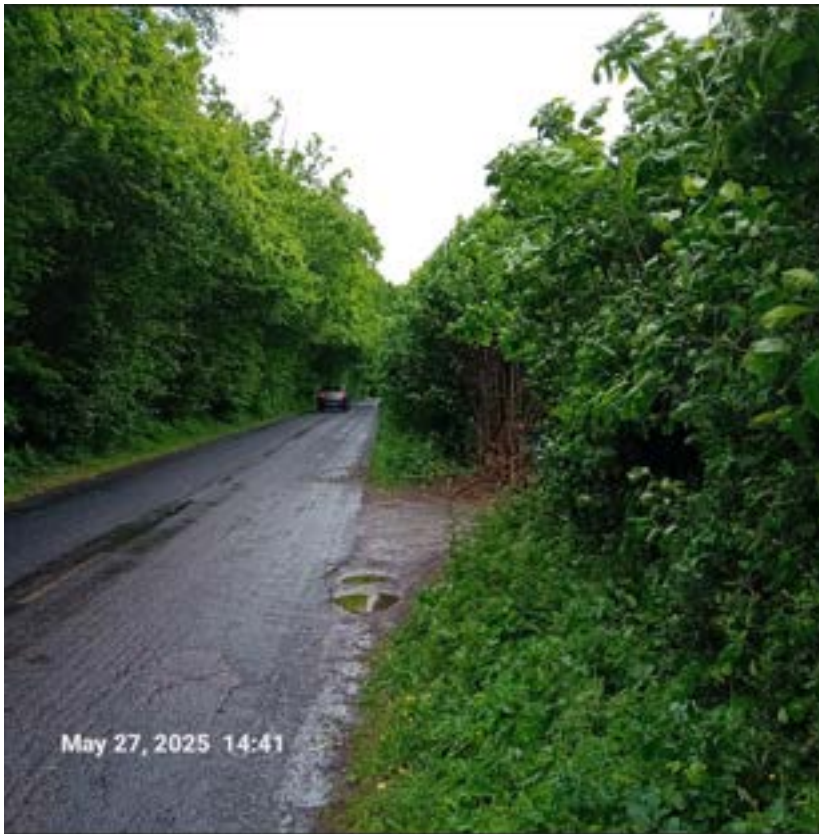
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View from inside the entrance (about 6 meters inside) is made of possibly loose road planing's/scalping's.

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Tunbridge Wells Borough Council

Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Highways and Transportation

Kroner House
Eurogate Business Park
Ashford
TN24 8XU

Tel: 03000 418181

Date: 30 May 2025

Our Ref: LHG

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.



Tunbridge Wells Borough Council

Town Hall
Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Highways and Transportation

Kroner House
Eurogate Business Park
Ashford
TN24 8XU

Tel: 03000 418181

Date: 28 March 2025

Our Ref:

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.

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:

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Director of Highways & Transportation

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Tunbridge Wells Borough Council

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Mount Pleasant Road
Tunbridge Wells
Kent
TN1 1RS

Highways and Transportation

Kroner House
Eurogate Business Park
Ashford
TN24 8XU

Tel: 03000 418181

Date: 25 April 2025

Our Ref:

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.

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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:

<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.