

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2025-003785

KING'S BENCH DIVISION

DATED 25th February 2026

GUY VASSALL-ADAMS KC (SITTING AS A DEPUTY JUDGE OF THE HIGH COURT)



IN THE MATTER

B E T W E E N : -

ASHFORD BOROUGH COUNCIL

Claimant

and

~~(1) SHANE RIVER FEWINS~~

(2) MICHAEL BRISTOW (AKA MICHAEL COLE)

(3) MICHAEL CHAPMAN (AKA MICHAEL COLE JNR)

(4) SUSIE LEE

(5) PERSONS UNKNOWN (THOSE WITH AN INTEREST IN OR INTENDING TO UNDERTAKE WORKS OR INTENDING TO OCCUPY THE LAND KNOWN AS "LAND LYING TO THE NORTH EAST OF NEW CUT ROAD, CHILHAM, CANTERBURY" AKA "LAND AS PART OF HAWKINS ROUGH, LONG HILL, CHILHAM CT4 8BN")

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED: MICHAEL BRISTOW (AKA MICHAEL COLE), MICHAEL CHAPMAN (AKA MICHAEL COLE JNR), SUSIE LEE AND PERSONS UNKNOWN DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT

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

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

UPON the Claimant's urgent application without notice for an injunction pursuant to section 187B of the Town and Country Planning Act 1990, dated 16 October 2025.

AND UPON the Claimant's application for an interim injunction being heard without notice on 17 October 2025 by the Honourable Mrs. Justice Maura McGowan.

AND FURTHER TO the interim injunction order made in proceedings KB-2025-003785 which was granted on an urgent without notice basis by Mrs. Justice McGowan following a hearing on 17 October 2025 and sealed on 17 October 2025 and continued by Kirsty Brimelow KC sitting as a Deputy High Court Judge on 29 October 2025.

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

AND UPON neither the Second Defendant nor Fourth Defendant attending the return date hearing on 25 February 2026.

AND UPON the Court deciding to proceed in the absence of the Second and Fourth Defendants.

AND UPON the Court noting that the Third Defendant and the Claimant agreed to an adjournment of the adjourned return date hearing on 25 February 2026 and that the Third Defendant has agreed to a continuation until the substantive hearing can be re-fixed.

AND UPON the Court noting that the Fourth Defendant is proceeded against on the basis that she is the partner or wife or has been the partner or wife of the Third Defendant whether or not her name is Susie Lee.

AND UPON the Claimant withdrawing its claim against the First Defendant.

AND UPON HEARING from counsel for the Claimant, Ms Lambert.

AND UPON noting that the Order by Mrs. Justice McGowan continued by Kirsty Brimelow KC was due to expire as 25 February 2026 was fixed as the final hearing date, in accordance with the terms of that Order, at the conclusion of the return down hearing or at the hand down of judgment if judgment reserved.

IT IS ORDERED THAT UNTIL THE FINAL HEARING DATE OR FURTHER ORDER:

THE INJUNCTION

1. With immediate effect, and until the conclusion of the Claimant's substantive application for a section 187B injunction, or until handing down of judgment if judgment is reserved following that hearing, or further order in the meantime, in relation to the Land known as "Land lying to the north east of New Cut Road, Chilham, Canterbury" AKA "Land at part of Hawkins Rough, Long Hill, Chilham, CT4 8BN" registered with HM Land Registry under title numbers K905197 and K934648 ("the Land") as shown edged black on the attached plan, the Defendants, whether by themselves or by instructing, encouraging, facilitating or permitting any other person, must not:
 - (i) Allow the use of the Land for human habitation or residential occupation or any other purpose in breach of planning control;
 - (ii) Allow the use of the Land or buildings for any purpose in breach of planning control;
 - (iii) Bring onto the Land any additional caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;
 - (iv) Bring/erect/install any buildings or structures on the Land for the purposes of human habitation or residential occupation or any other purpose in breach of planning control;
 - (v) Bring onto the Land any portable structures including portable toilets for purposes associated with human habitation or residential occupation or any other purpose in breach of planning control;
 - (vi) Bring onto the Land any further waste materials and/or hardcore and/or like materials for any purpose, including the further creation/laying of hardstandings or hard surfaces, in association with the use of Land for the stationing of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;

- (vii) Carry out any further works in relation to the formation of paths, roadways or any works including the provision of sewerage, water and electricity infrastructure associated with the use of caravans and/or mobile homes for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;
- (viii) Carry out any further works to the Land associated with or in preparation for its use for stationing caravans and/or mobile homes or for the erection of a building and/or any structure for human habitation or residential occupation or any other purpose in breach of planning control;
- (ix) Erect any further fencing on the Land associated with or in preparation for the use of the Land for the stationing of caravans and/or use of the buildings/structures on the Land for the purpose of human habitation or residential occupation or any other purpose in breach of planning control;
- (x) Remove any further trees covered by the Tree Preservation Order No.13 of 1986 unless permitted to do so by a current valid felling licence;
- (xi) Undertake any further development on the Land as defined in section 55 of the Town and Country Planning Act 1990 without the express grant of planning permission.

IT IS FURTHER ORDERED THAT:

ALTERNATIVE SERVICE

2. Pursuant to CPR 6.17 and 6.27, permission for alternative service of this Order on the Defendants is granted.
3. Service of this Order and related documentation may be effected by email on the Third Defendant using the email address of instructed solicitor Varinder Bhandal of Couchman Hanson (v.bhandal@couchmanhanson.co.uk) and on all the Defendants by the posting of sealed copies of the said Order, the Application Notice, the Claim Form and evidence in support of the Application and any future documentation in a transparent waterproof envelope in a prominent position on the Land.
4. This shall be deemed to be good and sufficient service of the said Order, the Application Notice, Claim Form and evidence in support of the Application and any future documentation on the Defendants on the date it was so affixed. The need for personal service of this Order, for the purposes of CPR Part 81, is dispensed with.
5. The Council shall, in addition, ensure advertisement on the Claimant's website and social media sites which it considers might reasonably bring this Order to the attention of the Defendants.

6. The Third Defendant shall provide written notification to the Claimant 5 working days before any transfer of any interest in the Land or the grant of any lease, sub-lease, assignment, demise, sub-demise or licence. Such notification shall include particulars of the new party with an interest in the Land.
7. Pursuant to CPR 40.7(1) this Order takes effect from the date it was made by the Court.
8. The First Defendant be removed as a party to these proceedings.

DIRECTIONS

9. Skeleton arguments are filed and served two weeks prior to the hearing date;
10. The hearing of the Claimant's substantive application for a section 187B injunction shall be listed to be heard on the first available date after 25 March 2026 with a time estimate of 1 day.

VARIATION OR DISCHARGE OF THIS ORDER

11. The Defendants may each of them (or anyone notified of this Order) apply to the Court on 48 hours written notice to the Claimant's legal representatives to vary or discharge this Order (or so much of it as affects that person). Except that the hours between 5pm on any Friday and 9am on any Monday cannot be counted as part of the 48 hours' notice period.
12. Any person, other than named Defendants, who wishes to be heard under paragraph 4 must apply to the court to be added as a named defendant to these proceedings and must provide their names and contact details in the application.

COSTS OF THE APPLICATION

13. Costs reserved.
14. Liberty to apply.

GUIDANCE NOTES

Effect of this Order – The Defendants

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

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

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

Interpretation of this Order

1. In this Order, the words “the Land” means land known as “Land lying to the north east of New Cut Road, Chilham, Canterbury” AKA “Land at part of Hawkins Rough, Long Hill, Chilham, CT4 8BN” registered with HM Land Registry under title numbers K905197 and K934648 (“the Land”).
2. In this Order, where there is more than one Defendant (unless otherwise stated) references to “the Defendants” means each or all of them.
3. A requirement to serve on “the Defendants” means on each of them. However, the Order is effective against any Defendant on whom it is served.
4. An Order requiring “the Defendants” not to do anything applies to all Defendants.
5. In this Order, the Fifth Defendant identified only as “Persons Unknown” refers to those adult persons who are not named Defendants to this Application who have an interest in the Land and/or intend to carry out further works to the Land and/or are intending to occupy the Land or any other purpose in breach of planning control.

Communications with the Court

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

SCHEDULE A

Evidence

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

1. First Witness Statement of Joanne Alexander dated 16th October 2025
2. Second Witness Statement of Joanne Alexander dated 16th October 2025
3. Third Witness Statement of Joanne Alexander dated 22nd October 2025
4. Fourth Witness Statement of Joanne Alexander dated 27th October 2025
5. First Witness Statement of Tony White dated 28th October 2025
6. First Witness Statement of Michael Chapman dated 28th October 2025
7. Witness Statement of Shane River Fewins dated 28th October 2025
8. Second Witness Statement of Michael Chapman dated 20th November 2025
9. Fifth Witness Statement of Joanne Alexander dated 17th December 2025
10. Sixth Witness Statement of Joanne Alexander dated 18th December 2025
11. Seventh Witness Statement of Joanne Alexander dated 13th February 2026

SCHEDULE B

Undertakings given to the Court by the Claimant:-

1. As soon as practicable the Claimant will serve on the named Defendants a sealed copy of this Order and evidence in support of the Application and any future documentation pursuant to the Order for alternative service herein.

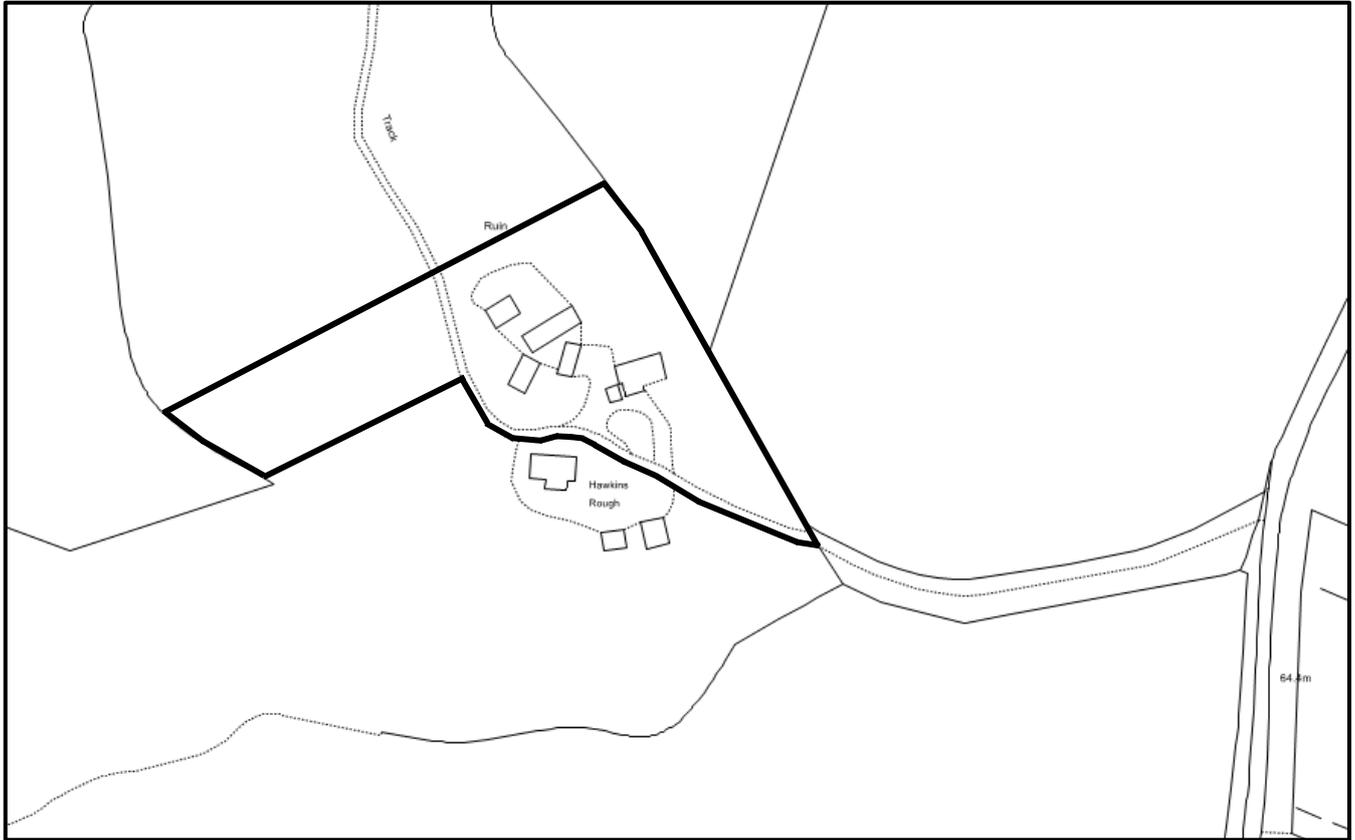
Name and Address of Claimant's Legal Representatives:-

Ms Mari Roberts
Sharpe Pritchard LLP
Elm Yard
10-16 Elm Street
London WC1X 0BJ

Tel: 020 7405 4600
Email: mroberts@sharpepritchard.co.uk

BY THE COURT

MADE ON 25 FEBRUARY



Land lying to the north east of New Cut Road, Chilham,
Canterbury

AKA

Land at part of Hawkins Rough, Long Hill, Chilham, CT4 8BN

