

**KENT COUNTY COUNCIL**  
**REGISTER OF DEPOSITS**



KCC Reference number: **TH/ROW4/HQ/436**

- ✓ Highways Statement
- ✓ Landowner Statement
- ✓ Highways Declaration

Date Deposit application received: **26/04/2017**

Date on which any Highways Declaration expires: **26/04/2037**

.....

Details of the land:

District	<b>Tunbridge Wells</b>
Parish	<b>Lamberhurst, Pembury</b>
Address & postcode of buildings on land parcels	<b>Land north of Dundale Road; land associated with Dundale Oast; land lying to the west of Brickhurst Wood; land on the north west side of Dundale Road; land on the west side of Dundale Road; 1 &amp; 2 Dundale Farm Cottages; Dundale Farm; Furnace Wood - all of Tunbridge Wells, TN3 9AQ; Dundale Wood and Great Sandhurst Wood, Lamberhurst, TN3 9AH</b>
Nearest town/city	<b>Pembury</b>
OS 6-figure grid reference	<b>TQ 635 384</b>

KCC Contact: Definitive Map Officer

Tel: 03000 41 71 71

Email: [prow@kent.gov.uk](mailto:prow@kent.gov.uk)

## Form CA17

### Notice of landowner deposit statement under section 31(6) of the Highways Act 1980 and/or section 15A(1) of the Commons Act 2006

#### The Kent County Council

An application to deposit a map and statement under section 31(6) of the Highways Act 1980 and deposit a statement under section 15A(1) of the Commons Act 2006 has been made in relation to the land described below and shown edged red on the accompanying map, reference **18/17**. Deposit applications enable a landowner to protect their land against the establishment of any/further public rights of way and/or registration of the land as a village green.

#### PLEASE NOTE:

This deposit does not affect existing recorded public rights of way but may affect any unrecorded rights over the land described below. Deposits made under section 31(6) of the Highways Act 1980 may prevent deemed dedication of public rights of way over such land under section 31(1) of that Act. Deposits made under section 15A(1) of the Commons Act 2006 may affect the ability to register such land as a town or village green under section 15 of that Act. Please see guidance at:

<http://www.defra.gov.uk/rural/protected/greens/> for further information.

There is no means of objection to this statement.

#### *Description of the land:*

Land north of Dundale Road; land associated with Dundale Oast; land lying to the west of Brickhurst Wood; land on the north west side of Dundale Road; land on the west side of Dundale Road; 1 & 2 Dundale Farm Cottages; Dundale Farm; Furnace Wood - all of Tunbridge Wells, TN3 9AQ; Dundale Wood and Great Sandhurst Wood, Lamberhurst, TN3 9AH

#### *Name of the Parish, Ward or District in which the land is situated:*

Pembury, Lamberhurst – Tunbridge Wells

The deposit was submitted by Mr James Pavey for Ernest & Ann Fenton and Denton & Co. Trustees Ltd and was received by this authority on 26/04/2017.

The authority maintains a register of maps, statements and declarations deposited under section 31(6) of the Highways Act 1980 and section 15B of the Commons Act 2006.

This register can be accessed online at: <http://www.kent.gov.uk/waste-planning-and-land/public-rights-of-way/landowner-protection> or can be inspected free of charge at the address below at the times indicated below:

PROW & Access Service, Invicta House – County Hall, Maidstone, Kent, ME14 1XX  
Monday-Friday between the hours of 10.00am-4.00pm. For further information on this subject or to make an appointment to view the register in the office, please contact **Mrs Maria McLauchlan on 03000 413420**.

Signed on behalf of **The Kent County Council:**



*Name and Position of Signatory:* Mike Overbeke,  
Head of Public Protection

Date: 10<sup>th</sup> June 2017



**This notice may be removed after 10<sup>th</sup> August 2017**

**Application Form for deposits under Section 31(6) of the Highways Act 1980  
and section 15A(1) of the Commons Act 2006**

**SECTION 1**

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**PART A: Information relating to the applicant and land to which the application relates**

1. Name of appropriate authority to which the application is addressed:

Kent County Council

2. Name and full address (including postcode) of applicant:

James Pavey – Partner, Irwin Mitchell LLP of Belmont House, Station Way,  
Crawley RH10 1JA

3. Status of applicant (tick relevant box or boxes):

I am making this application and the statements it contains as agent on behalf of:

- a) Ernest John Fenton of Dundale Farm, Bells Yew Green, Tunbridge Wells, Kent TN3 9AQ;
- b) Ann Ishbel Fenton of Dundale Farm, Bells Yew Green, Tunbridge Wells, Kent TN3 9AQ; and
- c) Denton & Co Trustees Limited of Sutton House, Weyside Park, Catteshall Lane, Godalming, Surrey GU7 1XE

who are the owners of the land described in paragraph 4.

4. Insert description of the land(s) to which the application relates (including full address and postcode): freehold land shown edged red on the plan accompanying this statement known as Dundale Farm, Dundale Road, Tunbridge Wells, Kent TN3 9AQ registered under Land Registry title numbers:

- K909843 – Denton & Co Trustees Limited and Ernest John Fenton: Land north of Dundale Road, Tunbridge Wells TN3 9AQ
- K519745 – Ernest John Fenton and Ann Ishbel Fenton: Land associated with Dundale Oast Dundale Road, Tunbridge Wells TN3 9AQ
- K696332 – Ernest John Fenton and Ann Ishbel Fenton: Land lying to the west of Brickhurst Wood, Pembury, Tunbridge Wells TN3 9AQ
- K601413 – Denton & Co Trustees Limited: Land on the north west side of Dundale Road, Brenchley, Tunbridge TN3 9AQ
- K928323 - Ernest John Fenton and Ann Ishbel Fenton: Land on the west side of Dundale Road, Tunbridge Wells TN3 9AQ
- K526983 - Ernest John Fenton and Ann Ishbel Fenton: 1 Dundale Farm Cottages, Dundale Road, Tunbridge Wells TN3 9AQ
- K937631 - Ernest John Fenton and Ann Ishbel Fenton: 2 Dundale Farm Cottages, Dundale Road, Tunbridge Wells TN3 9AQ
- K519754 - Ernest John Fenton and Ann Ishbel Fenton: Dundale Farm, Dundale Road, Tunbridge Wells TN3 9AQ
- K479912 - Denton & Co Trustees Limited and Ernest John Fenton: Furnace Wood, Lamberhurst, Tunbridge Wells TN3 9AQ

- K261920 - Denton & Co Trustees Limited and Ernest John Fenton: Dundale Wood and Great Sandhurst Wood, Lamberhurst TN3 9AH

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): Not known
6. This deposit comprises the following statements.

**PART B: Statement under section 31(6) of the Highways Act 1980**

1. Ernest John Fenton, Ann Ishbel Fenton and Denton & Co Trustees are the freehold owners of the land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying this statement.
2. The way shown dashed green on the accompanying map is a public footpath WT239.
3. No other ways over the land shown edged red on the accompanying map have been dedicated as highways.

**PART D: Statement under section 15A(1) of the Commons Act 2006**

Ernest John Fenton, Ann Ishbel Fenton and Denton & Co Trustees are the freehold owners of the land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying this statement.

Ernest John Fenton, Ann Ishbel Fenton and Denton & Co Trustees wish to bring to an end any period during which persons may have indulged as of right in lawful sports and pastimes on the whole or any part of the land shown edged red on the accompanying map.

**PART E: Additional information relevant to the application (*insert any additional information relevant to the application*)**

No additional information.

**PART F: Statement of Truth**

**WARNING: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.**

**I BELIEVE THAT THE FACTS AND MATTERS STATED AND CONTAINED IN THIS FORM ARE TRUE**

**Signature:** .....

**James Pavey - Partner, Irwin Mitchell LLP for and on behalf of Ernest John Fenton, Ann Ishbel Fenton and Denton & Co Trustees Limited**

**Date:** 24.4.2017.

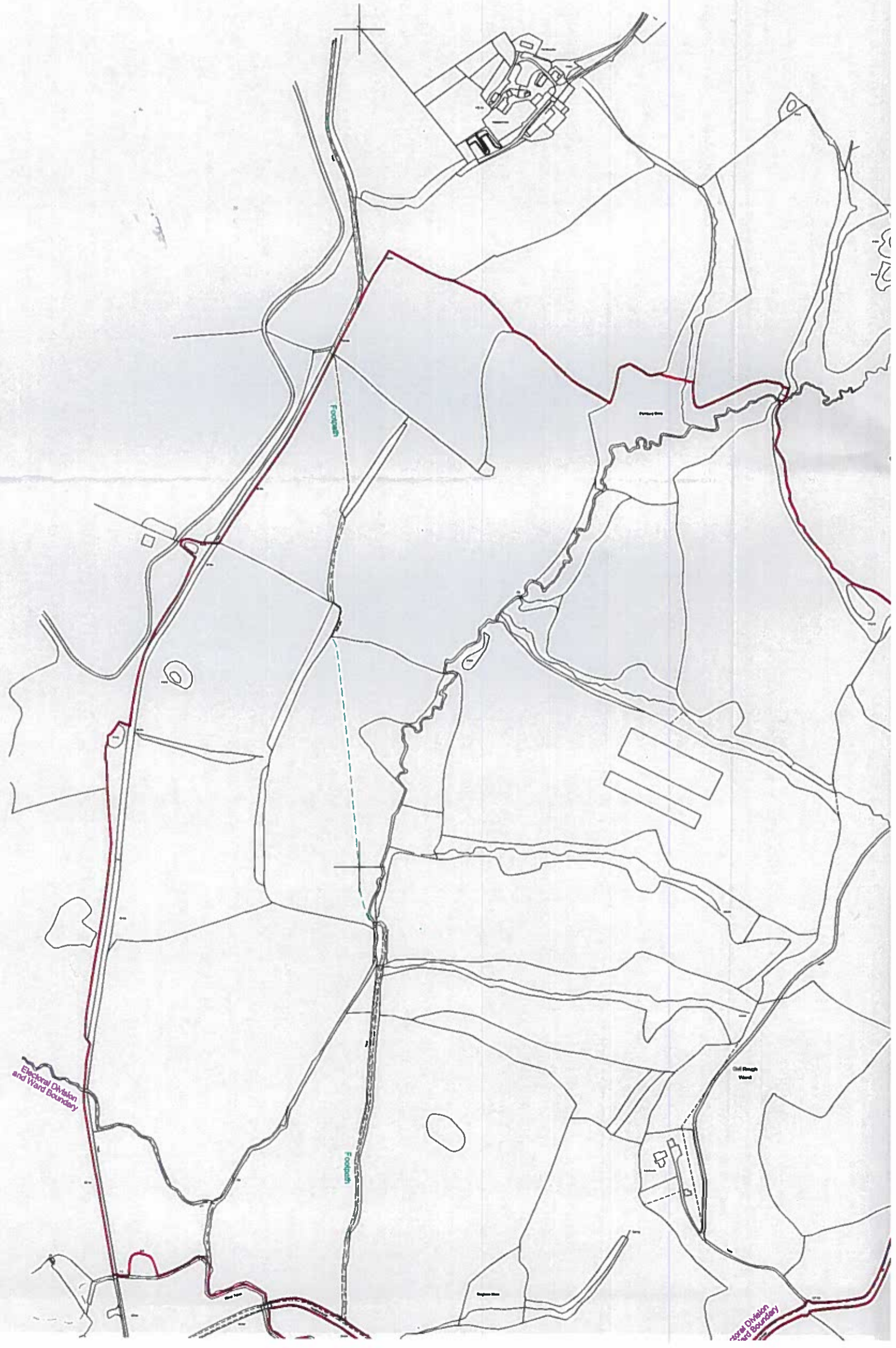
**You should keep a copy of the completed form**



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139000.000N

563000.000E

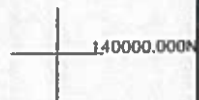


Electoral Division and Ward Boundary



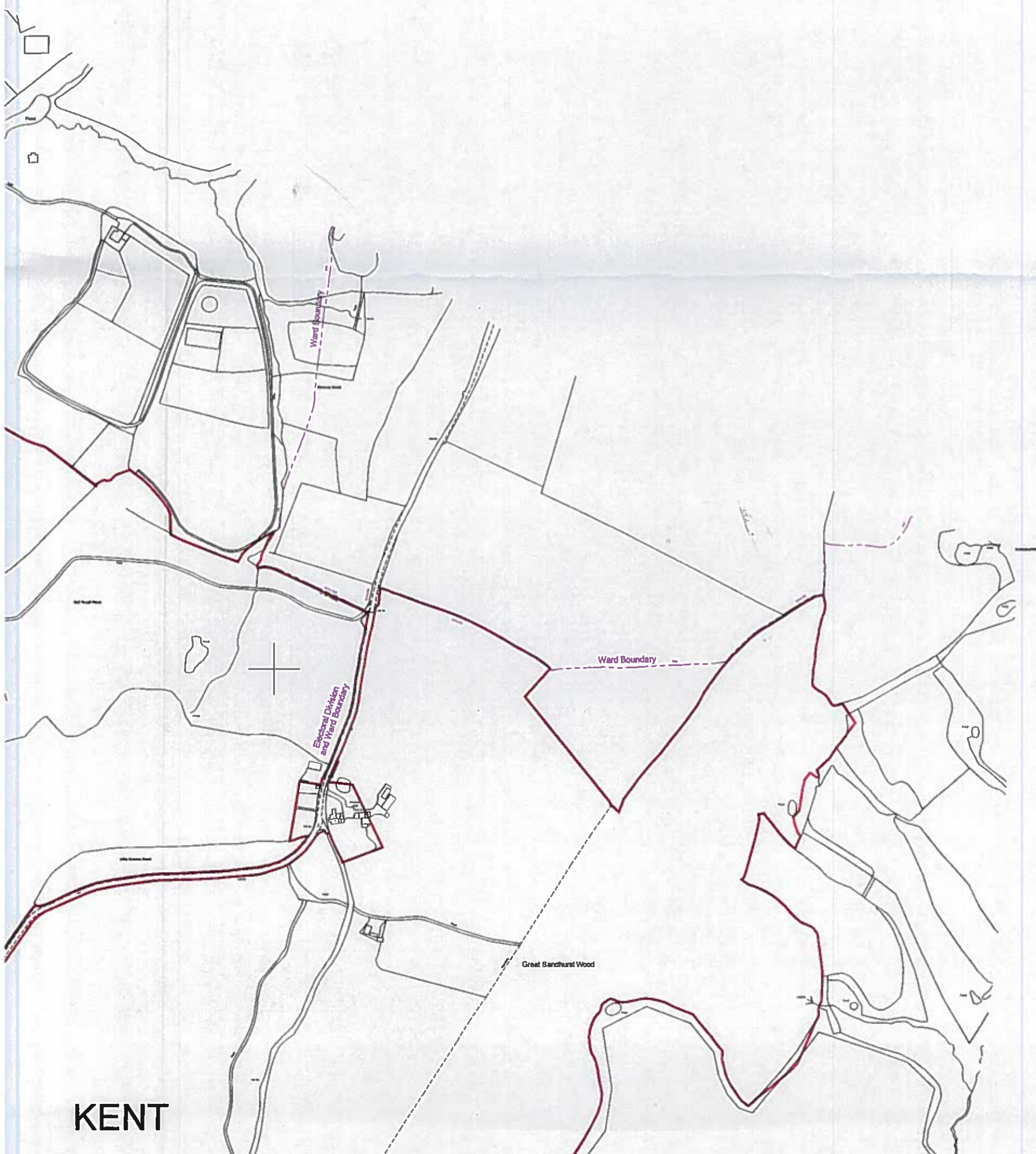
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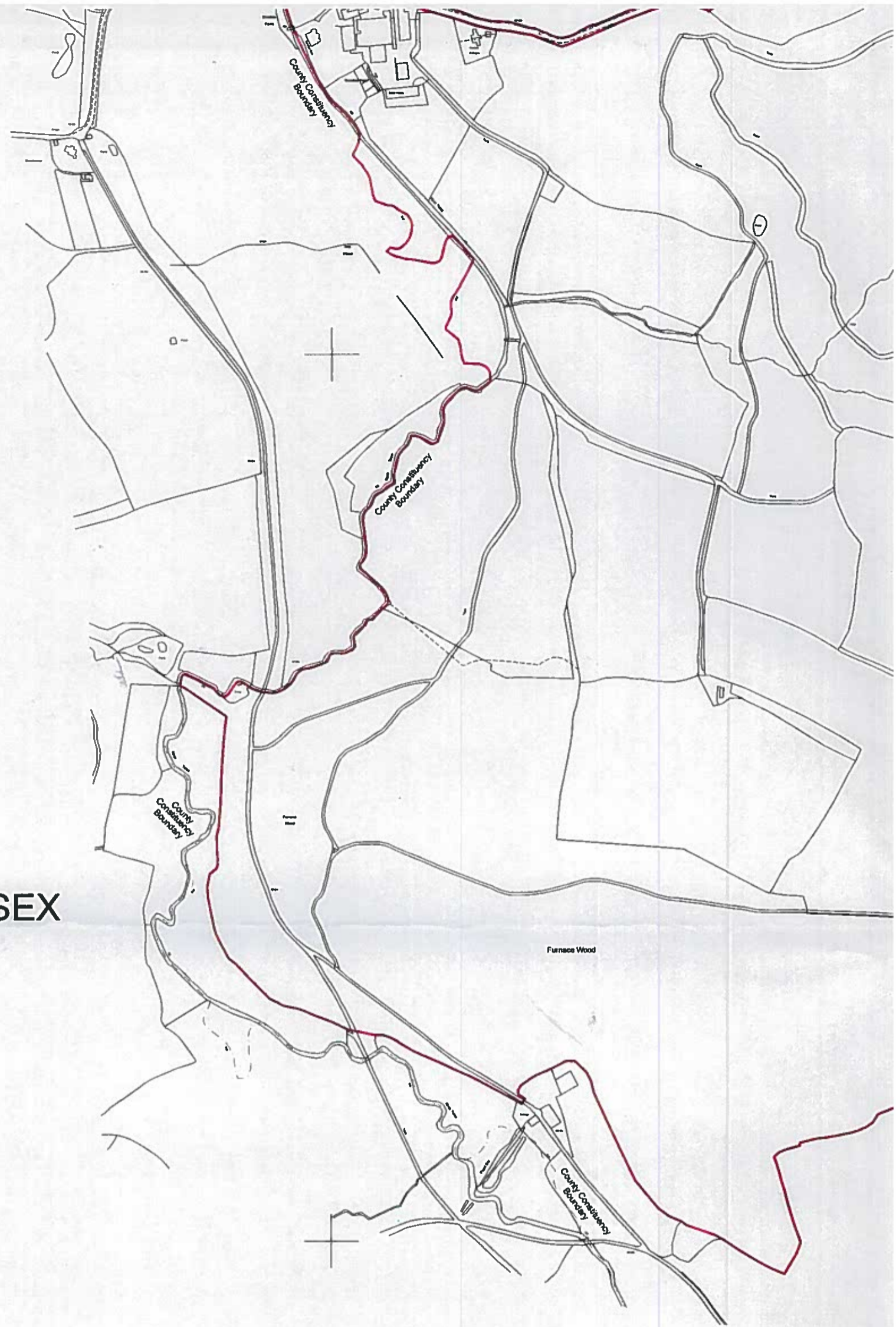
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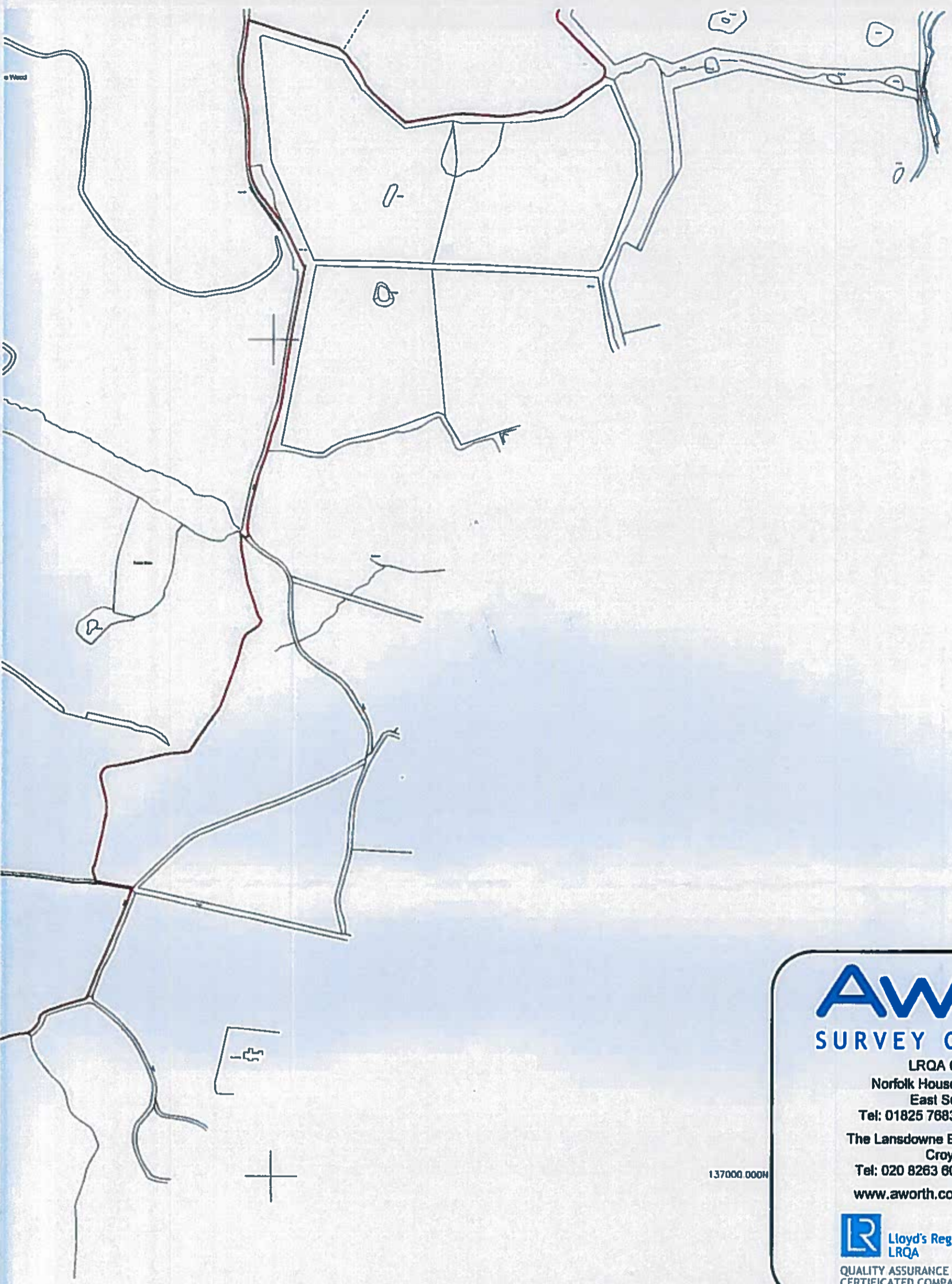
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# Aworth

## SURVEY CONSULTANTS

LRQA Certificated Office  
 Norfolk House, Norfolk Way, Uckfield  
 East Sussex, TN22 1EP  
 Tel: 01825 768319 Fax: 01825 768310  
 The Lansdowne Building, 2 Lansdowne Road  
 Croydon, CR9 2ER  
 Tel: 020 8263 8046 Fax: 020 8263 8146  
 www.aworth.co.uk als@aworth.co.uk



Drawing No	5188
Sheet	4
Revision	
Scale	1:5000 @ A1

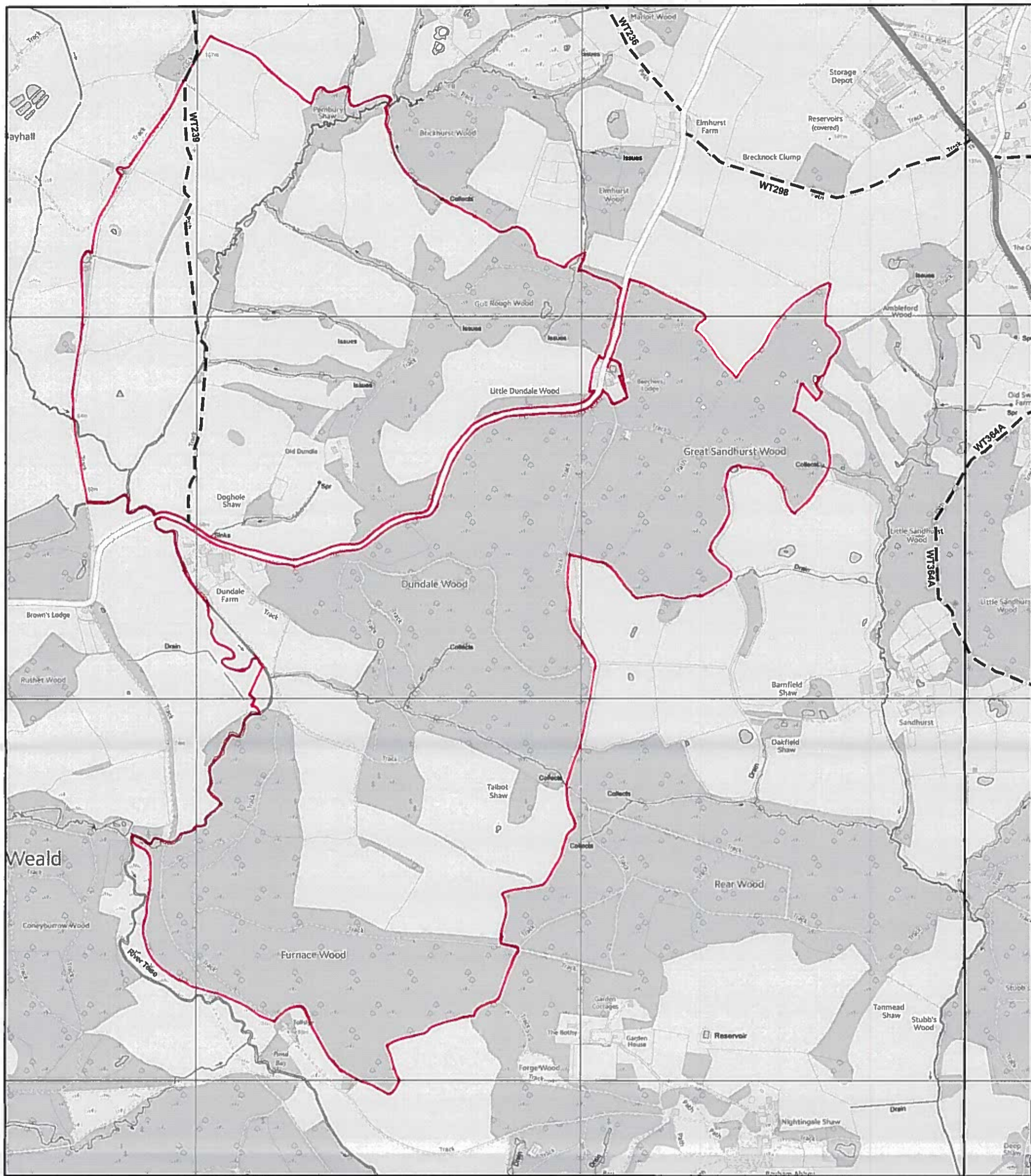
Surveyed	
Drawn	JBW
Checked	PDE
Date	09/09/18

Project  
**DUNDALE FARM**  
**KENT COUNTY COUNCIL**  
**HIGHWAYS ACT PLAN**

Client  
**DUNDALE FARM**  
**DUNDALE ROAD**  
**TUNBRIDGE WELLS**  
**KENT**  
**TN3 9QA**

**JAMES ROBSON PAVET**  
**PARTNER - IRWIN MITCHELL LLP**  
**FOR LOU BENDISER**  
**ERNEST JOHN FENTON**  
**ANN ISABEL FENTON, &**  
**DENTON & CO TWITTES LTD**





KEY	
— —	Footpath
— —	Bridleway
∨—∨—	Restricted Byway
—∨—	Byway Open to All Traffic

**EXTRACT OF THE WORKING COPY OF THE  
DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY  
FOR THE COUNTY OF KENT**

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Created by:	MMcL
Checked by:	MMcL
Issue Date:	12/05/2017
Reference:	TH/ROW4/HQ/436

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