



Morag Ellis KC

Call: 1984 QC: 2006

Practice areas:

Planning, Major Infrastructure Projects, Highways, Commons and Open Spaces, Compulsory Purchase and Compensation, Ecclesiastical Law and Religious Liberty, Environment, Public Law, Local Government



Practice Profile

Morag Ellis KC is widely recognised as a leading expert in planning and local government law in England and Wales, with a wide ranging practice covering all aspects of development.

She is consistently praised in the Chambers & Partners and Legal 500 Guides and the Planning Magazine Survey of barristers.

Morag is a member of the Silks' Panel to the Welsh Government and a past Chairman of the Planning and Environment Bar Association. She gave evidence to the Parliamentary Select Committee on the National Policy Statement on Ports and the Welsh Government Senedd on the review of TAN 8 (Renewable Energy) and the Planning Law (Wales) Act 2015 and served as a member of the Interim Planning Advisory Group advising the Welsh Minister on changing culture in Welsh Planning.

Planning

With her broadly based practice, Morag is well placed to provide strategic advice / representation on all aspects of development projects. Some examples to illustrate her experience are:

Development Plans

- Appearances at Guildford, South Bedfordshire and Runnymede EiPs, promoting release of residential land from the Green Belt for clients in the educational, extra care and sport sectors
- Appearance at Oxford City Local Plan EiP for Oxford Brooks University challenging policies on student accommodation and University expansion
- Appearance at South Oxfordshire Local Plan EiP via remote online hearings for Martin Baker Co., objecting to new village at Chalgrove on aeronautical grounds

Residential Schemes

- Planning appeals and advisory work for major volume housebuilders and promoters throughout England and Wales including:
- Oaklands College Site, St Albans, representing Taylor Wimpey and Oaklands College at a recovered planning appeal, securing permission in the Green Belt for College expansion and enabling housing development in the Green Belt
- Recovered Appeal on a major allocated site in Kent, comprising the Secretary of State's first decision on Nutrient Neutrality
- Planning Appeal for BMO for residential redevelopment of HQ office site in the Green Belt
- Instructed for LB Barnet in call in inquiry for residential led mixed use redevelopment of B&Q Cricklewood site
- Numerous planning appeals on later living schemes, most recently in Halesworth Suffolk
- Advised Unite in relation to student accommodation projects in major UK cities Appeared for Interested Party in judicial review *R (HFAG) v Buckinghamshire Council and Taylor Wimpey* [2022] EWHC 523 (Admin) where the issue was S.106 contributions to NHS
- Appeared for Interested Party in 2022 judicial review *R (Generator Comeytrowe) v West Somerset and Taunton Council and Taylor Wimpey* [2022] EWHC 2173 (Admin) where the issue was whether or not planning condition required delivery of ransomed access land
- Appeared for Defendant in *Braintree DC v Barratt David Wilson Homes* in planning injunction proceedings concerning discharge of highway Grampian conditions

Sport / Urban Regeneration / Commercial

- Advice for Marks and Spencer on amalgamation of retail premises at several retail parks
- South Wales Valleys: Advising on major snow leisure scheme
- Flamingo Park: Cray Wanderers FC called in planning application for sports facilities and enabling development on MOL in South East London, resulting in grant of planning permission on revised application
- The Hive: advising on Football First mixed use regeneration proposal at Harrow
- Advising Gateshead CC on regeneration of Gateshead City Centre
- Planning appeal for Grosvenor Estates in east/central London for a roof extension and refurbishment to a Foster office building, providing contemporary office space and related uses, including gym facilities

Minerals, Waste, Renewable Energy

- Tir Pentwys, Pontypool: Conjoined planning appeal and Commons and Public Right of Way diversion inquiry into a quarry proposal (recovery of high PSV secondary aggregate from opencast waste) near Pontypool, S Wales, raising issues including Ancient Woodland, Welsh environmental legislation, need for minerals and drawing on Morag's longstanding knowledge of minerals and waste proposals in Wales
- Bryn Quarry, Cwmbargoed: Morag has acted on several projects for this mixed use limestone high PSV quarry, green waste and intensive dairy unit enterprise, including a planning inquiry into a biodigester plant and advising on planning applications and enforcement in relation to quarry extensions
- Boulby Mine: advising the operators of this offshore potash and polyhalite mine on lease renewal under the Working Mines Facilities Act 1966 and related matters Advised local authorities on enforcement issues at East Pit and Margam Mine
- Advising Uniper plc on waste and minerals planning implications of several redevelopment schemes for redundant coal fired power stations

- Advised The Crown Estate on Round 4 Offshore Leasing Plan Appeared for Merthyr Tydfil CBC at DCO hearing into Covanta energy from waste proposal at Brig y Cwm
- Appeared for Camarthenshire County Borough Council and Natural Resources Wales at DCO hearing into the Brechfa Forest Connection Project and advised subsequently on enforcement issues
- *Powys County Council v. Welsh Ministers* [2015] EWHC 3284: defended s.288 High Court application on behalf of the Welsh Ministers on the issue of materiality of UK NPS on Energy in a Welsh planning appeal
- Advised Anglian Water on strategic renewables project across their facilities and advising on its major HIF funded Cambridge STW relocation project via DCO
- Appeared for Walter Energy (minerals operators) at Hirfynydd Windfarm planning appeal
- Joint Opinion for Thames Water on commons issues in relation to the Thames Super Sewer DCO
- Llanvapley Monmouthshire: appeared for promoter at first Welsh s.78 inquiry into a major solar PV project

Heritage

- Appeared for English Heritage and the National Trust in the leading case of *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council & Ors* [2014] EWCA Civ 137 and her practice reflects her knowledge and expertise in all aspects of heritage work, secular and ecclesiastical
- Roseland wind farm: appeared for the National Trust in s.78 appeal into a proposed windfarm in the setting of a G1 listed Hardwick Hall
- Birch Church: instructed by the Church Commissioners on a proposed public inquiry under the non-statutory convention in the Skelmersdale Agreement into demolition of a listed closed church
- Stowe School: advised on achieving planning permission for new Design, Technology and Engineering building in the setting of G1 listed Stowe Mansion and in G1 Registered Park and Garden / Conservation Area
- Chateau Impney: advising on regeneration proposals for G2* listed mansion and estate
- Planning appeal for Grosvenor Estates on 50 Finsbury Square for roof extension and refurbishment to Foster's office building, providing contemporary office space and related uses, including gym facilities, in Conservation Area
- Former magistrates' court and police station, Rosslyn Hill, Hampstead: appeared in virtual planning / listed building inquiry for LB Camden concerning proposals to re-site free school in listed building which was designed as prototype combined justice centre with specialist provision for juveniles
- M4 CaN motorway inquiry included a called application to demolish a listed former rectory at Magor and reconstruct in a new location
- Appeared in the Court of Arches for the parish, school authorities and LB Tower Hamlets in *Spitalfields Open Space Ltd v. The Governing Body of Christ Church Primary School, the London Diocesan Board for Schools, the London Borough of Tower Hamlets and another* [2019] Fam. 343 concerning enforcement in respect of a school building erected in breach of the Disused Burial Grounds Act 1884, forming the setting of the G1 listed Hawksmoor Church
- Advised LB Tower Hamlets on major planning application for embassy opposite the Tower of London

Enforcement

- North and South Fairground inquiries, Hampstead Heath: appeals against enforcement notice and refusal of lawful development certificate in relation to a pair of sites on the edge of Hampstead Heath, at which Morag appeared for LB Camden; legal issues included the relationship of use of land as travelling show people's site to use as a residential caravan site and application of the 4

year rule to a hut and the point at which use as a dwelling house commenced

- Athlone House: planning appeal and subsequent s.288 challenge (*Athlone House Ltd v Secretary of State for Communities and Local Government* [2015] EWHC 3524 (Admin)) at which Morag represented LB Camden; another Hampstead Heath case concerning MOL and NPPF exceptions, the case also raised legal questions about the materiality of failure to carry out restoration works to an unlisted building in a Conservation Area pursuant to s.106 obligation
- Haringey Warehouse Living: appeared at enforcement appeal and advising on CLEUD applications in connection with changes of use to communal living space; issues include correct use class, having regard to degree of shared space and relationship to HMO legislation
- Retail Parks: advising Northampton BC on Certificates of Lawfulness in relation to retail park reconfigurations
- Advised Marks & Spencer on several lawful development matters on retail parks
- Advised Bridgend and Neath Port Talbot Councils on enforcement issues at East Pit and Margam Mine
- Brecha Forest Connection: advised Carmarthenshire CBC on enforcement of DCO requirements

Major Infrastructure Projects

Morag has experience of a wide range of DCOs advising or appearing for promoters and interested statutory bodies at examinations in England and Wales on many different issues.

- Cambridge Waste Water Treatment Plant Relocation – Acting for Anglian Water for several years on a DCO application concerning a project which was accepted as a NSIP after an application to the Secretary of State under s.35 Planning Act 2008. The project comprises the establishment of a new sewage treatment works in the Green Belt around Cambridge to free up the existing Victorian works site for planned strategic housing and business development. The Applicant team is working collaboratively with Cambridge City Council and South Cambridgeshire District Council, whose joint Local Plan underpins the rationale for the project.
- Thames 'Supersewer'
Joint Opinion (with Philip Petchey) on behalf of the Applicant on the relationship of compulsory purchase powers and rights of common in the context of purchasing underground interests and consequential drafting of the Order, a novel point of law. The Opinion was publicised on the Examination website.
- London Resort – Advised the Applicant on this S.35 Project for a major resort on the north Kent coast. Issues included EIA, the SSSI designation which was placed on much of the site at a late stage, International (former European) designations over the River Thames and coast, mass multi-mode transport (including international) over land and water, and relations with Port of London and several Local Authorities acting as LPAs and Highway Authorities.
- Lower Thames Third Crossing – Morag is instructed by the London Borough of Havering and has been advising on their interests as LPA and Highways Authority in this project, part of which runs through the Borough.
- A63, Hull – advised Applicant (National Highways) on the relationship of the Order to ecclesiastical law due to the route of the road lying through a closed but consecrated graveyard.
- Lake Lothing Crossing – to give detailed, specialist advice to the Applicant, Suffolk County Council, concerning the relationship of the proposed bridge to navigation rights and regulation, drawing on my experience of promoting the M4 Corridor around Newport on behalf of the Welsh

Government.

- **Richborough Connection** – appeared at 2 hearing sessions on Protective Provisions for Southern Water, helping to achieve restrictions in the interests of Southern Water's operational needs and planning.
- **Brechfa Connection** – appeared at a hearing session on behalf of Natural Resources Wales and Carmarthenshire County Council and collaborated in a Joint Opinion with Russell Harris KC (for the promoter) to secure an amendment to the Project so as to underground a section of the connection which was to cross a Landscape of Special Historic Importance (a Welsh national level designation), which had not been considered prior to our representations. I subsequently advised Carmarthenshire County Council on enforcement of the Order's requirements.
- **Wylfa Generating Station** – advised the National Trust, helping them to prepare representations and engagement in relation to their Cemmaes Estate, which is an internationally designated ecological site.
- **Brig y Cwm Generating Station** – appeared for Merthyr Tydfil Borough Council as Local Planning Authority at a preliminary hearing, taking legal points on enforceability of proposed elements of the DCO, which led to withdrawal of the DCO by the Applicant.
- **Round 4 Leasing Plan** – Morag recently advised the Crown Estate on the regulatory aspects of its Plan for the granting of leases for 9 offshore windfarms in the seabed off the English and Welsh coast, each of which will be a separate DCO. This required detailed consideration of the relationship of the Plan to the Habitats Regulations because of multiple International (former European) sites, consideration of procedural and governance issues, including the relationship of the Plan to the individual projected DCOs, which called for an understanding of the 2008 Act. The Plan was novel in requiring derogations from the UK and Welsh Ministers. Morag advised on strategy and reviewed Assessments under the Regulations dealing with scientific research of impacts on marine ecology and as a result of birdstrike. The Plan was successful, in that derogations were achieved and no part of it was not subjected to legal challenge.

Morag has experience of various aspects of air traffic in the wider town and country planning context:

- **South Oxfordshire Local Plan Examination** – appeared at the EiP on behalf of Martin Baker Ltd, a company which invented and is the sole supplier to all the western powers of ejector seats for military and commercial aircraft. Their private airfield adjoins a major housing allocation in the Local Plan and their objections concerned the feasibility of co-existence, specifically the relationship of proposed housing to their runway in terms of testing of ejector seats and the servicing of their international military clientele. We presented technical evidence on all these aspects.
- **Farnborough Airport Inquiry** – appeared on behalf of Rushmoor Borough Council as LPA at a s.78 inquiry into a S.73 application to change flight times. Issues were noise, residential amenity versus operational and economic effects.
- **Knabs Ridge Windfarm Inquiry** – appeared on behalf of Harrogate Borough Council as LPA at a s.78 inquiry into a windfarm proposal under the flight path of Leeds Bradford International Airport. One of the principal issues was the impact of the turbines on air traffic control because of radar interference. I called a senior air traffic controller and an air traffic consultant expert and cross-examined the Appellant's expert.

Other infrastructure cases include:

- Appeared for Interested Party, HS2, on conjoined judicial reviews : *R (Buckinghamshire CC) v Secretary of State and HS2* [2022] EWHC 1923 (Admin) where the issue was the scope of the LPA's

- duty to consider and determine an application and the jurisdiction of PINS to hear an appeal
 - Instructed by applicants in call in inquiry for new Cardiff Parkway railway station and business park
 - Promoting a new stretch of motorway, the M4 Corridor around Newport, for the Welsh Government at a major public inquiry into Highways Act 1980 Orders, Compulsory Purchase Orders and a called in Listed Building demolition application. The case was a test of recent Welsh Government's Future Generations and Environment legislation, as well as covering many other areas of law such as novel points of law on European Sites and species, SSSIs and mitigation, bridging over the Port of Newport, compensation and State Aid
 - Advising Anglian Water on DCO for relocation of Cambridge sewage treatment works
 - Advised the Welsh Government on a major rail-related regeneration project at a former opencast mine
 - Joint Opinion (published) for Thames Water on commons issues in relation to the Thames Super Sewer DCO
 - Appeared for Merthyr Tydfil CBC at DCO hearing into Covanta energy from waste proposal at Brig y Cwm
 - Joint Opinion on "associated development" (published) and appearance for Camarthenshire County Borough Council and Natural Resources Wales at DCO hearing into the Brechfa Forest Connection Project and advised subsequently on enforcement issues
 - Powys County Council v. Welsh Ministers* [2015] EWHC 3284: defended s.288 High Court application on behalf of the Welsh Ministers on the issue of materiality of UK NPS on Energy in a Welsh planning appeal
 - Numerous public inquiries into major onshore windfarm proposals in England and Wales
 - Advised promoters of Swansea Bay Tidal Lagoon on Welsh jurisdictional issues
 - Advising a major landowner on the Bakerloo Line Extension TWO proposals
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Highways, Commons and Open Spaces

Town / Village Greens and Commons

Morag has great experience of appearing at numerous non statutory town and village green inquiries into registration and she has also chaired such inquiries in England and Wales, as well as assisting Commons Registrations Authorities to determine applications for registration in writing. She is also regularly instructed on applications for deregistration and exchange in England and Wales.

Together with Philip Petchey, Morag has drafted guidance for the Association of Commons Registration Authorities on rectification of registers in England under the Commons Act 2006. They also prepared written, published advice on behalf of Thames Water on the relationship of the London Supersewer NSIP to rights in relation to urban commons.

Morag gave evidence to the Senedd on the amendments eventually made to the 2006 Act by the Planning (Wales) Act 2015.

Court Appearances

- Leeds plc v. Leeds City Council* [2010] EWCA Civ. 1438 : appeared for the Registration Authority, defending registration based on user from more than one neighbourhood
- Somerford PC v. Cheshire East Council and Richborough Estates plc* [2016] EWHC 619 (Admin) : appeared for Richborough Estates responding to a Judicial Review of Cheshire East's refusal to

register land as a Town or Village Green on the basis that it was highway land. Issues included whether or not the Authority should have used its powers under s.101 Local Government Act 1972 to transfer the application to another Council as it was the landowner, perceived bias and highway status.

New TVG Registrations

A full list of Morag's appearances at inquiries into applications to register new TVGs is available on request, but she has extensive experience of all the most familiar scenarios in England and Wales which occur, including:

- Land held for statutory purposes including public recreation and pleasure grounds and for recreational purposes incidental to housing (eg. St Andrews Gardens, Gravesend; land for educational / sporting purposes (Wigwam Field, Papplewick; Marden cricket and hockey ground; Barry Sports and Social; Cowbridge cricket ground)
- Land held for temporary recreational purposes pending development (Toxteth, Liverpool)
- Land held pursuant to a recreational trust (Blagrove recreation ground, Reading)
- Statutory incompatibility (Cefn yr Hendy)
- Paths (land at Keresley; Wilson Street, Derby)
- Land used pursuant to a recreational lease (Greensquare Field, Finchley)
- Highway user (Porth y Wrach, Menai Bridge)
- Obstructions / interruptions (land outside Natural History Museum, Knightsbridge; Wigwam Field, Papplewick)
- Insufficient user (Wilson Street, Derby)
- No established locality or neighbourhood (Wilson Street, Derby; land at Keresley)
- Implied permission (Marden cricket and hockey ground)
- Compatibility with agricultural use (Cefn yr Hendy, Miskin)

De-registration and exchange

- Tir Pentwys inquiry: appeared for applicant in conjoined planning appeal, de-registration and exchange under Commons Act and Highways Act applications into major minerals reclamation proposal near Pontypool; issues included consideration of the statutory factors in the context of Welsh Future Generations and environmental legislation
- M4 CaN inquiry: appeared for the Welsh Government at conjoined inquiry promoting Highways Act Orders and Schemes and various other applications including exchange of common land subject to compulsory acquisition under the Highways Act 1980 for proposed new motorway, widely seen as a test case for Welsh Future Generations and environmental legislation
- Mynydd Llanllwni inquiry: appeared for objectors at conjoined planning appeal and applications under the Commons Act for major windfarm proposal; issues included the ability of the Appellants to implement environmental mitigation scheme having regard to commoners' rights
- New Addington: strategic advice for London Borough of Croydon on de-registration and exchange of TVGs as part of urban regeneration project

Highways, Rights of Way and Footpaths

Promoted the M4 Corridor around Newport on behalf of the Welsh Government. This nationally significant project comprised numerous Orders and Schemes under the Highways Act 1980, involving highly technical evidence spanning the disciplines including traffic modelling, engineering, ecology, drainage, landscape and historic environment. The scheme included proposals to bridge over the Port of Newport, engaging statutory provisions concerning navigation rights and statutory undertakers' rights in relation to

compulsory purchase. The case was widely seen as a test case for Welsh Future Generations and environmental legislation.

She advises widely on Public Rights of Way ('PROW') issues, both as part of development projects and independently, including applications under s. 53 Wildlife and Countryside Act 1981, stopping up orders under Highways and Planning legislation (including various public inquiries into such orders), Private Street Works matters, s.278 Agreements and obstructions.

Public inquiries / Court cases have included:

- South Downs National Path: successive public inquiries into public path creation order under s.26 Highways Act 1980 and associated advice on compulsory acquisition of land under Highways Act, together with associated litigation on costs awards.
- Tir Pentwys inquiry: appeared for applicant in conjoined planning appeal, de-registration and exchange under Commons Act and Highways Act applications into major minerals reclamation proposal near Pontypool; issues included consideration of the statutory factors in relation to stopping up and diversion in the context of Welsh Future Generations and environmental legislation.
- Prince of Wales Road: inquiry into stopping up order under planning powers in LB Camden on behalf of developer. Issues included overlap with planning considerations, loss of open space, safety.
- Parkmill Farm, Princes Risborough: appeared on behalf of Highways and Local Planning Authorities at conjoined public inquiry into planning appeal for major residential development and stopping up / diversion orders under planning powers. Issues included bridging over / routeing under a railway line, public safety, Network Rail policy, compulsory acquisition powers.
- *Edwards v. IGas and Others*: private prosecution for obstruction of a public footpath brought by protester against Defendant company who were carrying out exploratory works connected with potential gas recovery ('fracking'). Issues included defence of 'lawful authority', liability of directors personally, status of Definitive Map and the powers of the Director of Public Prosecutions to take over and discontinue private prosecutions.)
- *Somerford PC v. Cheshire East Council and Richborough Estates plc* [2016] EWHC 619 (Admin) : appeared for Richborough Estates responding to a Judicial Review of Cheshire East's refusal to register land as a Town or Village Green on the basis that it was highway land. Issues included whether or not the Authority should have used its powers under s.101 Local Government Act 1972 to transfer the application to another Council as it was the landowner, perceived bias and highway status.

Compulsory Purchase and Compensation

Morag has longstanding experience of promoting and objecting to CPOs, including:

- Highways schemes (M4 CaN; Blackhorse Lane, Waltham Forest; Pontypridd ring road, Rhondda Cynon Taf; Brent Cross, London)
- Economic development: Nelson Miners' Welfare Site, Caerphilly
- Town centre redevelopments: Gateshead, Bromley, Leeds and Wolverhampton
- Estate regeneration CPO at Kidbrooke for LB Greenwich; advising LB Waltham Forest in relation to their urban regeneration scheme for Ilford Town Centre
- M4 Corridor around Newport, which Morag promoted on behalf of the Welsh Government, was a nationally significant project comprising numerous Orders and Schemes under the Highways Act

1980, involving highly technical evidence spanning the disciplines including traffic modelling, engineering, ecology, drainage, landscape and historic environment. The scheme included proposals to bridge over the Port of Newport, engaging s.16 Acquisition of Land Act 1981 and provisions of the Highways Act concerning navigation rights. Issues arising included s.16 certificate, State Aid in relation to compensation and the interpretation of s.280 Town and Country Planning Act 1990. The case was widely seen as a test case for Welsh Future Generations and environmental legislation.

- Cambridge Sewage Treatment Works DCO: advising Anglian Water and its team in relation to all aspects of major infrastructure proposal.

Ecclesiastical Law and Religious Liberty

In June 2020, Morag was appointed as the Dean of the Arches and Auditor and Master of Faculties. As such, she is the senior ecclesiastical judge in England and the statutory regulator, under the Legal Services Act 2007 of Notaries in England, Wales, the Channel Islands and parts of the Commonwealth. As an ex officio member of the General Synod of the Church of England and a member of its Rule Committee, Morag is involved in the preparation and promotion of primary and secondary legislation. She is also a member of the Legal Advisory Commission to General Synod, preparing opinions on current issues of ecclesiastical law. The judicial appointment is part time, so she remains available for instructions generally, although she can no longer receive instructions in ecclesiastical matters involving the faculty jurisdiction or clergy discipline in England.

In 2019, she was appointed as the QC Church Commissioner and represents the Commissioners on the National Safeguarding Steering Group as well as sitting on the Mission and Pastoral and Church Property Committee, a quasi judicial body which adjudicates on parish reorganisation and church property disputes.

Morag is currently studying for the Cardiff University LLM in Canon Law.

Environment

Public Law

Local Government

Local Government and Public Law

All aspects of Morag's secular practice, in England and Wales, comprise Local Government and Public Law, with an emphasis on the environmental aspects of this work. She is experienced at appearing in the Administrative Court on Judicial Review and Statutory Challenges.

Examples include:

- Appeared for Interested Party, HS2, on conjoined judicial reviews : *R (Buckinghamshire CC) v Secretary of State and HS2* [2022] EWHC 1923 (Admin) where the issue was the scope of the LPA's duty to consider and determine an application and the jurisdiction of PINS to hear an appeal
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- Appeared for Interested Party in 2022 judicial review *R (Generator Comeytrowe) v West Somerset and Taunton Council and Taylor Wimpey* [2022] EWHC 2173 (Admin) where the issue was whether or not planning condition required delivery of ransomed access land
- Appeared for Defendant in *Braintree DC v Barratt David Wilson Homes* in planning injunction proceedings concerning discharge of highway Grampian conditions
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- Appeared for English Heritage and the National Trust in the leading case of *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council & Ors* [2014] EWCA Civ 137 and her practice reflects her knowledge and expertise in all aspects of heritage work, secular and ecclesiastical
- Promoted the M4Corridor around Newport on behalf of the Welsh Government. This nationally significant project comprised numerous Orders and Schemes under the Highways Act 1980, involving highly technical evidence spanning the disciplines including traffic modelling, engineering, ecology, drainage, landscape and historic environment. The scheme included proposals to bridge over the Port of Newport, engaging statutory provisions concerning navigation rights and statutory undertakers' rights in relation to compulsory purchase. The case was widely seen as a test case for Welsh Future Generations and environmental legislation
- *Powys County Council v. Welsh Ministers* [2015] EWHC 3284: defended s.288 High Court application on behalf of the Welsh Ministers on the issue of materiality of UK NPS on Energy in a Welsh planning appeal

Publications

Morag is a past contributor to Halsbury's Laws (Drainage) and Gambling for Local Authorities, Licensing, Planning and Regeneration and has contributed several articles to the Journal of Planning and Environmental Law.

Associations

- Member and former Chairman of the Planning and Environment Bar Association
- Member of the National Infrastructure Planning Association
- Standing Committee Member of the Ecclesiastical Judges Association

- Member of the Ecclesiastical Law Society
 - Member of Public Law Wales
 - Member of the London Welsh Lawyers Association
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Appointments

- Dean of the Arches and Auditor
 - Master of Faculties
 - KC Church Commissioner
 - Immediate past Commissary General of the Diocese of Canterbury
 - Immediate past Deputy Chancellor of the Diocese of Southwark.
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Quotes

"Morag is commercially minded, logical and precise. She explains matters in such a way so as to take both clients and judges through her arguments step by step, leaving no room for doubt."
Legal 500, 2024

"Morag Ellis is pragmatic, calm, approachable and a very effective advocate."
Chambers and Partners, 2023

"She is just outstanding."
Chambers and Partners, 2023

"She is very popular with clients, she does the politics of planning very well and brings with her advice a wealth of experience of how strategies have worked out in differing scenarios."
Chambers and Partners, 2023

"Morag is very clear and has a nice style."
Chambers and Partners, 2023

"Morag has very strong analytical skills with an ability to distil advice on complex regulation in a way that identifies the most important issues concisely. She also has an extremely valuable practical knowledge of corporate governance issues, which assists greatly on public law matters and is equally at home advising on policy and regulation in both England and Wales."
The Legal 500, 2023

"She has very strong analytical skills and an ability to distil advice on complex regulation concisely so that clients can easily understand and take action."
The Legal 500, 2023

"Morag is impressive, well prepared and very adaptable." "She is pragmatic, calm, approachable and a very effective advocate."
Chambers and Partners, 2022

"Pragmatic, calm, approachable and very effective advocate. Very strong in Wales."

The Legal 500, 2022

"A very approachable barrister whose knowledge of and approach to heritage cases is highly focused and thorough."

The Legal 500, 2022

"Morag is a phenomenally good advocate. She's incredibly thorough and knowledgeable and she's good to work with."

Chambers and Partners, 2021

"She's good at distilling the key elements from a lot of information and she understands how commercial motivations interact with potential litigation." "Morag is reliable and dependable and will always go the extra mile."

Chambers and Partners, 2021

"Morag is a very knowledgeable, experienced and thorough barrister, who prepares her cases rigorously. She is an excellent advocate and a tenacious cross-examiner."

The Legal 500, 2021

"A top planning silk, she leaves no stone unturned and is always refreshingly fair and candid."

The Legal 500, 2021

"A good performer who is very confident and in charge of everything."

Chambers and Partners, 2021

"Has unparalleled forensic skills and a very client-friendly approach." "She gets straight to the heart of the matter and doesn't get side-tracked on non-material issues."

Chambers and Partners, 2020

"She drafts powerful and effective submissions with apparent ease." "She's fiendishly clever on complex planning."

Chambers and Partners, 2020

"Her ability to see the bigger picture in among all the detail is fabulous"

The Legal 500, 2020

"She is very bright, has a very good grasp of really concentrated issues and is able to pinpoint what needs to be addressed. I find her approachable and responsive, and she is very good with clients too." "Impressive, well-prepared and very adaptable."

Chambers and Partners, 2019

"She's prepared to go the extra mile and very determined to seek out the truth and give it effect. Her written work is very thorough and she's very fair-minded and concerned that everyone should have an opportunity to say what they want to say."

Chambers and Partners, 2019

"Pragmatic, calm, approachable and a very effective advocate, she's very strong in matters in Wales."

Chambers and Partners, 2018

"She is able to analyse and process huge amounts of information quickly and identify key issues. Her insight into the workings of the Planning Inspectorate and local government makes her advice on case

management invaluable. She is adept at getting the best from her team and from individual witnesses."
Chambers and Partners, 2018

"Very easy-going and very astute in her advice." "She was a tough examiner in a way that was really helpful."

Chambers and Partners, 2018

"She quickly gets to the heart of the matter and gets results"

The Legal 500, 2017

"Her advice is always very clear, and she is commercially aware and tactically precise."

The Legal 500, 2017

"A very good cross-examiner with a very good command of all the issues."

Chambers and Partners, 2017

"Pragmatic, calm, approachable and a very effective advocate."

Chambers and Partners, 2017

"She is highly intelligent and very, very impressive."

Chambers and Partners, 2016

"Excellent analysis and tactical nous."

Chambers and Partners, 2015

"A brilliant manner in court and detailed knowledge of energy-related planning."

Chambers and Partners, 2015

"She has the ability to take on board and make sense of extensive expert evidence."

Chambers and Partners, 2015

"An excellent all-rounder."

Chambers and Partners, 2015