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Alexander Greaves

Call: 2012

Practice areas:

Planning, Public Law, Compulsory Purchase and Compensation, Major Infrastructure Projects, Environment, Highways, Commons and Open Spaces, Licensing, Rating, Council Tax and CIL

Practice Profile

Since joining Chambers in 2014, Alexander has developed a busy specialist practice at the planning, environment and local government bar.

Recent notable cases which he has been involved in include:

- Acting for Thanet District Council, who successfully defended appeals by Gladman Developments and Richborough seeking outline planning permission for 115 and 200 dwellings respectively at two planning inquiries. The first appeal was principally dismissed on the basis that it would not provide safe and suitable pedestrian access, while the second was dismissed as a result of harm that would be caused to a designated heritage asset.
- *R (Stephen Luck) v Bracknell Forest Council* [2025] EWHC 2984 (Admin), acting (as junior to Richard Honey KC) for the successful defendant in a claim for judicial review considering the correct interpretation of the CIL Regulations on two important issues regarding self-build exemptions and a collecting authority's discretion to waive liability for CIL.
- Climate change litigation, including ***R (Finch) v Surrey CC*** [2024] UKSC 20 and ***Friends of the Earth Ltd v SSLUHC*** [2024] EWHC 2349 (Admin), where Alexander acted as junior counsel for West Cumbria Mining Ltd.
- Acting (as junior to Andrew Tait KC) for North Somerset Council in the promotion of a CPO and SRO for the Banwell Bypass, both of which were confirmed by the Secretary of State for Transport.
- Acting for West Oxfordshire District Council, who successfully resisted an appeal against non-determination of a scheme for 102 dwellings on the grounds that it would have a severe impact on the highway network, represent poor design, and conflict with the policy requirement for comprehensive development of a strategic allocation.
- Acting for Cotswold District Council, who successfully resisted an appeal against their decision to refuse planning permission for a truck stop in the AONB along the A417 near Cirencester.
- Acting for Buckinghamshire Council in two enforcement appeals regarding complicated mixed use sites at 3 day and 8-day inquiries. Both appeals were dismissed with an award of costs made against the Appellants.
- Acting for the claimant in a 2-day section. 113 claim (***Norton St Philip PC v Mendip DC*** [2022] EWHC

3432 (Admin)), which successfully challenged the adoption of a local plan on grounds relating to misinterpretation of policy and a failure to consider reasonable alternatives through the sustainability appraisal.
- Advising and acting for HS2 (as junior to Morag Ellis KC) in a number of judicial reviews concerning appeals under Schedule 17 to the High Speed Rail (London to West Midlands) Act 2017, which were either refused permission, or dismissed by the High Court in ***Buckinghamshire Council v SST*** [2022] EWHC 1923 (Admin).

Alexander welcomes instructions to act individually or as part of a team across all of Chambers' areas of practice.

Planning

Alexander regularly appears at planning inquiries, examinations in public and in the courts on related matters. Through secondments at Westminster City Council and the London Borough of Bexley he has also gained a valuable insight into the operation of local government, advising planning committees and officers on a wide variety of matters. Particular areas of expertise include the following.

Housing

Alexander has considerable experience of housing-related work and regularly appears at planning inquiries concerning residential development. He has acted for local planning authorities, developers and Rule 6 parties at inquiries covering a whole range of issues, including: five year supply; housing needs assessments (including affordable, custom self-build and extra care); landscape; heritage; green belt; AONB; flood risk; highways; acoustic; ecology; sustainability and GHG emissions. Recent examples include:

- Land adjacent to St Augustine's Cross, Cliffsend – Acting for Thanet District Council, who successfully defended an appeal by Richborough following the refusal of outline planning permission for up to 200 dwellings. Dismissing the appeal, the Inspector agreed with the LPA that it would result in highly adverse effects on the significance of the nearby listed cross commemorating the arrival of St Augustine in 597 AD, falling within the upper range of less than substantial harm. That harm was not outweighed by the public benefits of the scheme, despite the significant shortfall in the LPA's five year housing land supply.

- Land South of Hardman Avenue, Rawtenstall – Acting for MCI Developments in their successful appeal against the decision of Rossendale Borough Council to refuse permission for the demolition of existing buildings, including a non-designated heritage asset, and the erection of 44 dwellings within the setting of a Grade II listed farmhouse. Allowing the appeal, the Inspector found that the public benefits of the scheme outweighed the harm to the significance of the heritage assets.
- *Land off Foxborough Lane, Minster* - Acting for Thanet District Council, who successfully defended an appeal by Gladman Developments seeking outline planning permission for 115 residential dwellings following a 5-day inquiry. Dismissing the appeal, the Inspector found that the development would not provide safe and suitable pedestrian access for future residents, would cause harm to the character and appearance of the landscape, and would result in an adverse and unsubstantiated impact on BMV land.
- *Land West of Hailey Road, Witney* – Acting for West Oxfordshire District Council, who successfully

resisted an appeal against non-determination of a planning application for 102 dwellings on part of an allocated site. Dismissing the appeal, the Inspector found that the proposal would have a severe impact on the highways network, would not represent high quality design, would not provide the necessary infrastructure and would conflict with the requirement for comprehensive development of the strategic development area.
- *Brittains Lane, Sevenoaks* – Acting for a local residents' association, as Rule 6 Party, who successfully objected to a development for 70 homes in the Green Belt at an 8-day inquiry.
- *Land West of Wroslyn Road, Freeland* - Acting for West Oxfordshire District Council, who successfully resisted an appeal against their decision to refuse planning permission for a retirement community of up to 160 extra care units in what was found to be a valued landscape, following a 6-day inquiry.
- *Land to the West of High Street, Arlesey* – Acting for Central Bedfordshire Council, who successfully resisted an appeal against their decision to refuse planning permission for the development of 112 dwellings on part of an allocated site following a 6-day inquiry. A costs application made by the appellant was also dismissed.
- *Land North of Southill Road, Broom* – Acting for Central Bedfordshire Council, who successfully resisted an appeal against their decision to refuse planning permission for 90 dwellings within the setting of a Grade II listed country house.
- *Land South of Gloucester Road, Thornbury* – Acting (as junior to Suzanne Ornsby KC) for South Gloucestershire Council, who successfully resisted an appeal against their decision to refuse planning permission for an urban extension comprising 370 dwellings on the edge of Thornbury, within the setting of a number of heritage assets.

Local Plans

Alexander has experience promoting and objecting to local plans as both sole and junior counsel, as well as other local plan related work, including:

- Acting (as junior to Craig Howell Williams KC) for Wokingham Borough Council in the examination of its new local plan
- Acting for the claimant in a s. 113 claim (*Norton St Philip PC v Mendip DC* [2022] EWHC 3432 (Admin)), which successfully challenged the adoption of a local plan on grounds relating to misinterpretation of policy and a failure to consider reasonable alternatives through the sustainability appraisal.
- Advising (as junior to James Pereira KC) the Conservators of Epping Forest in their successful objection to the HRA of the emerging Epping Forest Local Plan, which resulted in the need for further HRA work and amendments to the submitted plan.
- Advising and acting for South Gloucestershire Council in the preparation and promotion of its Policies Sites and Places Plan (adopted in 2017).
- Acting (as junior to Suzanne Ornsby KC) for West Oxfordshire DC in the promotion of its new local plan (adopted in 2018).

Minerals and Waste

- Acting for an Appellant who successfully appealed against an enforcement notice regarding their green waste business located within the Green Belt. The appeal was allowed under ground (b) and the enforcement notice was quashed with an award of costs made against the LPA.
- Advising and acting (as junior to Gregory Jones KC) for West Cumbria Mining Ltd, in relation to its application for a new metallurgical coal mine in Whitehaven which has drawn international press coverage. Planning consent was granted by the Secretary of State in December 2022, in accordance with the recommendation of a planning inspector who held a 4 week inquiry into the

proposal in September 2021. Although permission was initially refused to bring two s. 288 claims, the decision was ultimately quashed by the High Court following the decision of the Supreme Court in Finch.
- Advising (as junior to Andrew Tait KC) Tungsten West on matters relating to an unauthorised dwelling in close proximity to their mine in Devon, which has included a successful application for judicial review to quash an LDC for the dwelling granted by the LPA. Following that decision, the LPA took enforcement action and Alexander represented Tungsten West as a Rule 6 party who supported the LPA in successfully resisting the appeal.
- Acting for the waste planning authority in an appeal against the refusal of planning permission for a strategic waste complex by Veolia in the Buckinghamshire green belt. The appeal considered issues relating to harm to the green belt, the availability of alternative sites and prematurity.
- Acting for a waste planning authority taking enforcement action against a number of unauthorised waste sites in the green belt.
- Acting (as junior to Gregory Jones KC) for a Rule 6 Party objecting to the development of a Materials Recovery Facility in Wiltshire, in a case involving complex issues relating to the lawful fall-back position, air quality impacts and the adequacy of the environmental statement. After losing at appeal, the decision was successfully quashed in the High Court (*Wiltshire Waste Alliance v SSCLG* [2018] Env LR 33) on the basis that the inspector had misinterpreted the historic consents and the appropriate fall-back position.
- Advising a local authority on the EIA implications of a s. 73 application for an existing energy from waste facility.

Enforcement and Lawful Development Certificates

Alexander has considerable experience of planning enforcement related matters, acting as sole counsel for at numerous enforcement inquiries regarding unauthorised development relating to residential conversions, live/work units, builders' merchants, scrap yards, plant storage and large mixed use sites. Recent examples include:

- Acting for Buckinghamshire Council in a linked Enforcement and LDC appeal regarding a large and complicated mixed use site located within the Green Belt, which included open storage, readymix concrete, lorry parking, and vehicle breaking and repairs. The appeal was dismissed on all grounds following an 8-day inquiry, with costs awarded for grounds (a), (b), (d) and (g).
- Acting for an Appellant who successfully appealed against an enforcement notice requiring the demolition of a dwelling and residential annex, which had been constructed within Ancient Woodland on a site in the Green Belt and AONB.
- Acting for an Appellant who succeeded in quashing an enforcement notice relating to its green waste and tree surgery business located in the Green Belt, with an award of costs against the LPA.
- Acting for an Appellant who successfully appealed against an enforcement notice relating to the erection of a dwelling in the garden of a listed building within an AONB.
- Assisting Saira Kabir Sheikh KC (representing Westminster City Council) in the high-profile enforcement inquiry concerning the unauthorised demolition of the Carlton Tavern just days before it was due to be listed. The appeal decision upheld the enforcement notice, requiring the demolished pub to be re-built brick by brick.
- Acting (as Junior to Saira Kabir Sheikh KC) in a number of hotel / hostel enforcement inquiries in central London, including the re-determination of an inquiry following the Court of Appeal's decision in *Westminster City Council v SSCLG* [2015] EWCA Civ 482.
- Appearing at a number of LDC inquiries, including a 5 day inquiry concerning the use of land for the storage of cars. Following the appeal, Alexander also acted for the local authority in defending the Appellant's s. 288 challenges to the appeal and costs decisions, which were dismissed at the

permission stage.
- Acting for the successful defendant in *R (Flint) v South Gloucestershire Council* [2017] JPL 310 (Admin), which challenged the planning unit and specificity of use identified in an LDC granted for use of land as a shooting school.
- Advising and representing clients being prosecuted in the criminal courts for failing to comply with enforcement notices.

Retail

Alexander has a detailed understanding of matters relating to the sequential and retail impact tests, and previously acted (as Junior to Suzanne Ornsby KC) for the local planning authority at a 4 week multi-party inquiry into the proposed extension of The Mall at Cribbs Causeway, a large out-of-town shopping centre near Bristol, which was called-in by the Secretary of State.

Advertising

Alexander is familiar with advising on the various elements of the control of advertisements and deemed consent, including acting for companies being prosecuted for the unauthorised display of advertisements. He recently acted (as junior to Gregory Jones KC) for company in an appeal against a removal notice relating to a large advertisement in Shoreditch, which was subsequently withdrawn by Hackney LBC. They are both currently instructed by the advertiser a High Court challenge to an appeal decision upholding a discontinuance notice on the same site.

Other Matters

In addition to examples set out above, Alexander frequently advises on planning-related matters, including: the interpretation of the GPDO; the construction of planning conditions; and planning obligations and CIL. He has also been a regular contributor to the Journal of Planning and Environmental Law.

Public Law

Alexander has experience (as sole and junior counsel) acting for claimants, defendants and interested parties in judicial review and statutory challenges. Recent examples include:

- ***R (Stephen Luck) v Bracknell Forest Council*** [2025] EWHC 2984 (Admin): Acting (as junior to Richard Honey KC) for the defendant in a judicial review challenging CIL liability and demand notices issued by the collecting authority, which was dismissed on all grounds. The judgment considered two important issues regarding the interpretation of the CIL Regulations. First, the correct interpretation of provisions regarding disqualifying events for self-build exemptions for CIL. Second, it confirmed that regulation 65(7) does not confer a broad discretion to waive liability for CIL, which has been a particularly contentious issue.
- ***R (Amalgamated Smart Metering Ltd) v Rotherham MBC*** [2025] EWHC 97 (Admin): Acting (as junior to Gregory Jones KC) for the claimant in a claim for judicial review that was brought out of time. The Defendant and Interested Party made Part 11 applications inviting the Court to decline jurisdiction due to the delay in bringing the claim in reliance upon Good Law Project. The Judge dismissed those applications as "profoundly misconceived". Where there is an application to extend time for filing a claim for judicial review, but the claim form was served on time, the Good Law

Project line of authority does not apply and the application falls squarely within the territory of the principles in Thornton Hall Hotel (which may include a broad assessment of the merits of the claim). There is no short cut which entitles the Defendant to point to delay in filing the claim and treat that as determinative. Although a number of grounds of challenge were strongly arguable, the application to extend time was ultimately refused having regard to the length of the delay and the prejudice that would be caused.

- ***Friends of the Earth Ltd v SSLUHC*** [2024] EWHC 2349 (Admin): Acting (as junior to James Strachan KC) for West Cumbria Mining Ltd, who were the only party left defending two s. 288 claims brought by climate change groups after the new government decided not to contest the claim following the decision in Finch. The case was the first one to apply the Supreme Court's decision in Finch, and raised a number of important issues regarding the calculation of downstream emissions, substitution and offsetting.
- ***R (Finch) v Surrey CC*** [2024] UKSC 20: Acting (as junior to Gregory Jones KC) for West Cumbria Mining Ltd, who were given permission by the Supreme Court to intervene in writing.
- ***Norton St Philip PC v Mendip DC*** [2022] EWHC 3432 (Admin): Acting for the claimant in a s. 113 claim, which successfully challenged the adoption of a local plan on grounds relating to the misinterpretation of policy and failure to consider reasonable alternatives, resulting in a number of housing allocations being quashed.
- ***Buckinghamshire Council v SST*** [2022] EWHC 1923 (Admin): Acting (as junior to Morag Ellis KC) for HS2, as interested party, in three linked judicial reviews brought by Buckinghamshire Council, which sought to challenge the Secretary of State's approval of lorry routes for temporary construction traffic under Schedule 17 of the High Speed Rail (London – West Midlands) Act 2017. All three claims were dismissed, and the interested party was (unusually) awarded some of its costs of responding to the claims.
- ***Lambeth LBC v SSHCLG*** [2021] PTSR 1606: Acting (as junior to Douglas Edwards KC) for Lambeth LBC in a judicial review which successfully challenged a decision to allow an appeal against CIL late payment surcharges imposed by the council.
- ***R (Parkview Homes Ltd) v Chichester DC*** [2021] JPL 1075: Acting for the claimant developer who successfully challenged the grant of a s. 73 permission extending the hours of operation of a neighbouring bar and nightclub.
- ***Wiltshire Waste Alliance v SSCLG*** [2018] Env LR 33: Acting (as junior to Gregory Jones KC) for a local residents' group who successfully challenged the grant of planning permission for a Materials Recovery Facility on the basis that the environmental statement was inadequate and the inspector had misinterpreted one of the planning permissions relied upon as a fall-back position.
- ***R (Flint) v South Gloucestershire Council*** [2017] JPL 310: Acting for the successful defendant in a claim which challenged the planning unit and specificity of use identified in and LDC granted for use of land as a shooting school.

Compulsory Purchase and Compensation

Alexander has experience of advising on and acting for parties and CPO and compensation matters, including promoting CPOs. These include:

- Acting (as Junior to Andrew Tait KC) for North Somerset Council, as acquiring authority, at a 4-week CPO inquiry concerning the CPO and SRO needed for the construction of a new bypass for the village of Banwell. The CPO and SRO were confirmed by the Secretary of State for Transport in January 2024.

- Acting for an acquiring authority who was successful in getting a compensation claim struck out on the basis that it was out of time. Permission to appeal against that decision was subsequently refused by the Court of Appeal, who recorded that the application was totally without merit.
- As pupil to James Pereira KC, Alexander had the opportunity to attend the Upper Tribunal (Lands Chamber) hearing for *Clearun Ltd v GLA* [2014] UKUT 0116, the first compensation claim to come before the Tribunal following the London 2012 Olympic CPO.

Major Infrastructure Projects

- As junior to Morag Ellis KC, Alexander has advised and acted for HS2 in a number of judicial reviews concerning appeals under Schedule 17 to the High Speed Rail (London to West Midlands) Act 2017, which were either refused permission or dismissed by the High Court in *Buckinghamshire Council v SS*T [2022] EWHC 1923 (Admin).
- Whilst undertaking pupillage with Hereward Phillpot KC and James Pereira KC, Alexander gained exposure to the promotion of various DCOs. In particular, he had the opportunity to attend hearings, conferences and consider issues which arose in the course of the Thames Tideway Tunnel DCO.

Environment

Alexander frequently advises on areas of environmental law, particularly where they dovetail with his planning practice. Recent examples include:

- Advising on a number of matters relating to greenhouse gas emissions and the Climate Change Act 2008 while acting (as junior to Gregory Jones KC) for West Cumbria Mining Ltd in relation to their application for a new metallurgical coal mine.
- Advising (as junior to James Pereira KC) the Conservators of Epping Forest on their objection to the HRA of the emerging Epping Forest Local Plan.
- Advising on air quality issues, including the designation of Clean Air Zones.
- Advising on SEA and HRA in the context of local plan preparation.
- Advising on the provision of SANGs.
- Advising on Aarhus costs protection.
- Advising and representing a high street betting company being prosecuted for failure to prevent the escape of controlled waste, contrary to section 34 of the Environmental Protection Act 1990.
- Advising a company director being prosecuted for the unauthorised disposal of waste in breach of environmental permits.

Highways, Commons and Open Spaces

Alexander has appeared at a number of village green inquiries representing both applicants and objectors. These include:

- Acting as sole counsel for applicants in two village green inquiries, one of which resulted in partial registration of the land.
- Acting (as junior to Morag Ellis KC) for objectors at inquiries in Kent and Dorset.

He is currently instructed by Natural Resources Wales, who are objecting to an application to register a large site at Gwrych Castle Woodlands that is partially within their ownership.

Alexander has also successfully acted for an applicant in judicial review proceedings seeking to quash the decision of a registration authority not to register land as a TVG, in which the registration authority consented to judgment.

In addition to village greens, Alexander has also advised on other matters concerning public open space, including:

- The appropriation and disposal of open spaces
- Assets of Community Value

Licensing

Alexander has advised and represented local authorities, applicants and responsible authorities at licensing appeals in the magistrates' court and at licensing sub-committee hearings. He has also acted as legal adviser to licensing sub-committees dealing with a variety of issues.

Recent work includes:

- Advising and acting for a local authority responding to an appeal by a street trader against de-designation of part of a licence street.
- Advising and appearing for the police at review and summary review hearings.
- Acting for the police in various closure order applications, including a closure order under s. 21 of the Criminal Justice and Police Act 2001.
- Advising a premises licence-holder being prosecuted for offences under the Gambling Act 2005.
- Advising and representing a client seeking a licence for the provision of late night refreshment in a cumulative impact zone.
- Alexander has also written a number of articles published in the Journal of Licensing.

Rating, Council Tax and CIL

Other Experience

Prior to joining chambers, Alexander worked as a PSL paralegal in the professional and commercial disputes team of a leading international law firm. During this time, he conducted legal research and drafted case summaries for publication. He also volunteered as a housing casework assistant for

Hackney Community Law Centre.

Education and Scholarships

Alexander holds a first class BA degree in History from the University of Manchester. Alexander completed his GDL with commendation and achieved the highest mark in the year for modules on Judicial Review and Company Law on the BPTC.

He was awarded the Queen Mother's Scholarship and the Blackstone Exhibition Award from Middle Temple.

During pupillage, he won the UKELA Senior Mooting Competition, judged by Lord Carnwath.

Interests

Alexander is a keen cyclist and has toured across Slovenia, Italy, Germany, France and Switzerland. He also enjoys skiing and sailing.

He is passionate about food and devotes much of his spare time to the pursuit of all things culinary.

Privacy Notice

Quotes

One of the top-rated planning barristers under the age of 35
Planning magazine, Planning Law Survey 2022